



Environmental Planning Commission

Agenda Number: 02
Project Number: 1011395
Case Number: 17EPC-40050
Hearing Date: November 09, 2017

Staff Report

Agent	Arch + Plan Land Use Consultants
Applicant	Ed Anlian and Paula Dal Santo
Request	Zone Map Amendment (zone change)
Legal Description	Lots 17-A, 18-A and 19-A, Block 11, Timoteo Chavez Addition
Location	just south of Menaul Blvd. NE, between Carlisle Blvd. NE and Washington St. NE (2517 Sierra Dr. NE)
Size	Approximately 0.5 acre
Existing Zoning	C-2
Proposed Zoning	C-3

Staff Recommendation

APPROVAL of 17EPC-40050, based on the Findings beginning on Page 14.

Staff Planner

Catalina Lehner, AICP-Senior Planner

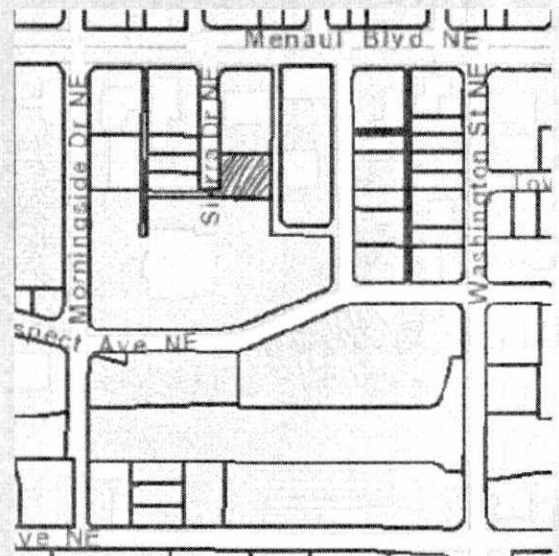
Summary of Analysis

The request is for a zone map amendment for an approx. 0.5 acre site, zoned C-2, and located just south of Menaul Blvd. NE. The mobile home park on the subject site, which consists of six homes (eight spaces) and has existed for many years, is being phased out. The residents have been notified as required by Zoning Code §14-16-3-21.

The applicant wants to construct a new warehouse building. The warehousing use is first allowed permissively in the C-3 zone.

The subject site is in an Area of Consistency as designated by the Comprehensive Plan. No sector development plans apply. The request generally furthers applicable Goals and policies. The zone map amendment has been adequately justified pursuant to R-270-1980.

The affected neighborhood organization is the District 7 Coalition, which was notified, as required. Property owners within 100 feet of the subject site were also notified, as required. A facilitated meeting was not requested. There is no known opposition. Staff recommends approval.





Project #1011395



Legend

Municipal Limits

- Corrales
- Edgewood
- Los Ranchos
- Rio Rancho
- Tijeras
- UNINCORPORATED

World Street Map

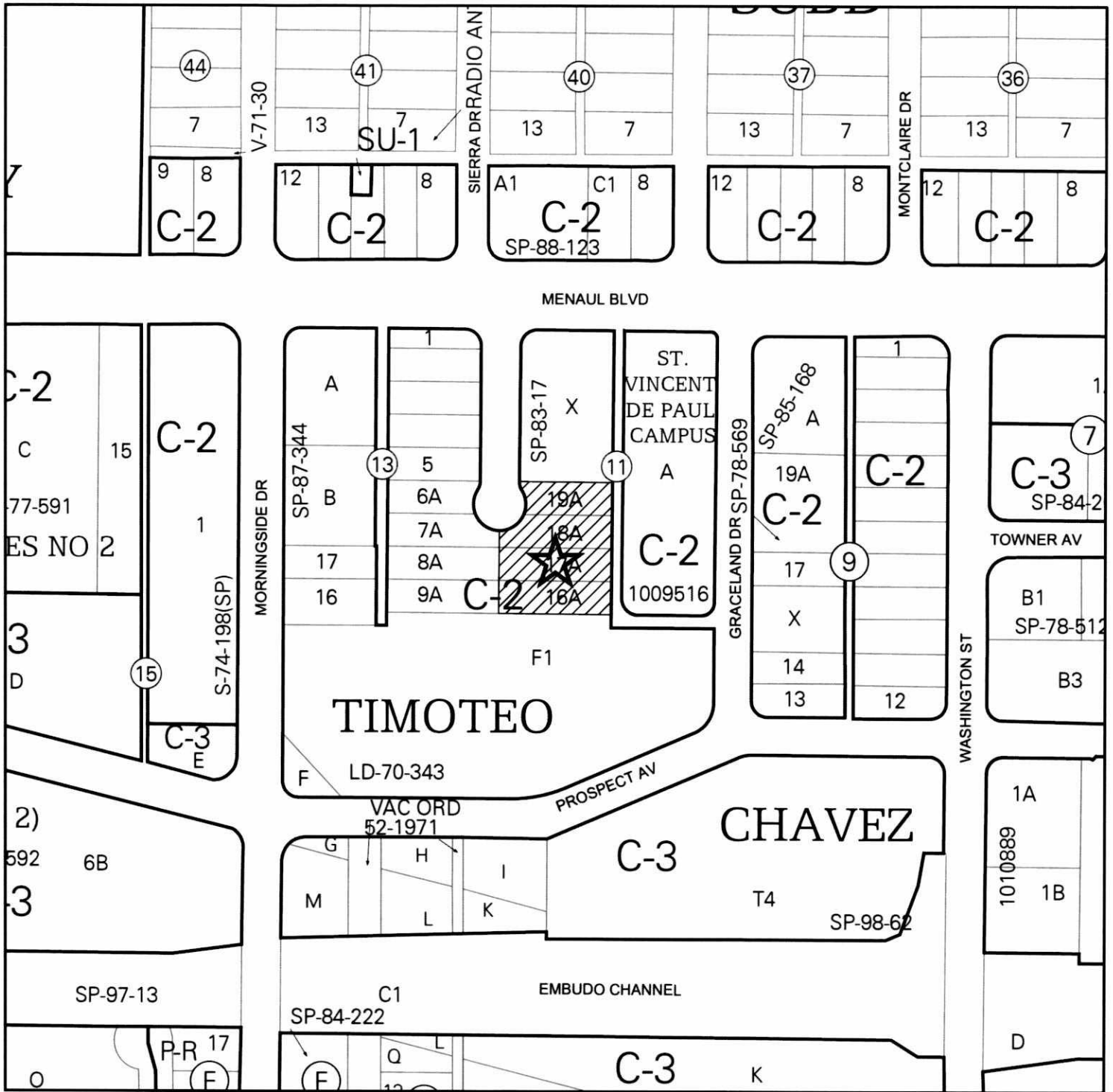
Notes

0.1 0 0.03 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
11/1/2017 © City of Albuquerque

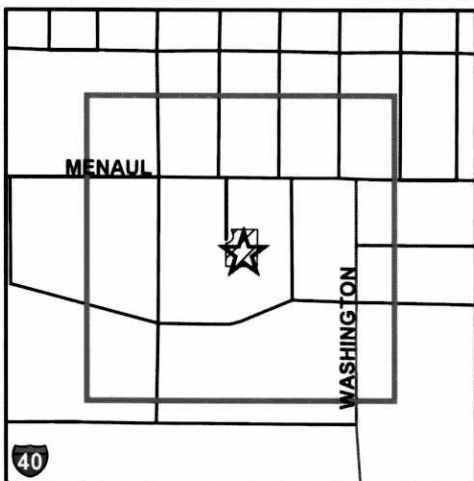
This map is a user generated static output from www.cabq.gov/gis and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR LEGAL PURPOSES



ZONING MAP

Note: Grey shading
indicates County.



1 inch = 208 feet

Project Number:

1011395

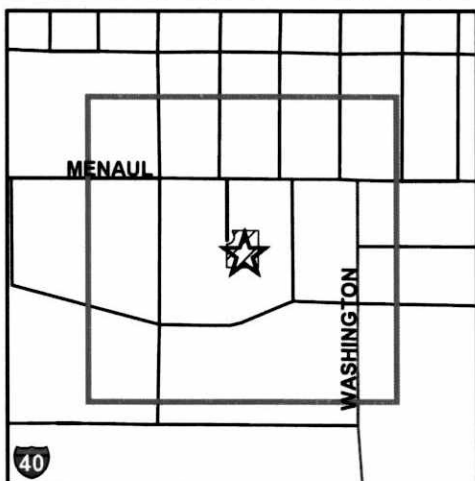
Hearing Date:

11/9/2017

Zone Map Page: H-17

Application Case Numbers:

17EPC-40050



LAND USE MAP

Note: Grey shading indicates County.

KEY to Land Use Abbreviations

AGRI Agriculture
 COMM Commercial - Retail
 CMSV Commercial - Service
 DRNG Drainage
 MFG Manufacturing
 MULT Multi-Family or Group Home
 PARK Park, Recreation, or Open Space
 PRKG Parking
 PUBF Public Facility
 SF Single Family
 TRAN Transportation Facility
 VAC Vacant Land or Abandoned Buildings
 WH Warehousing & Storage

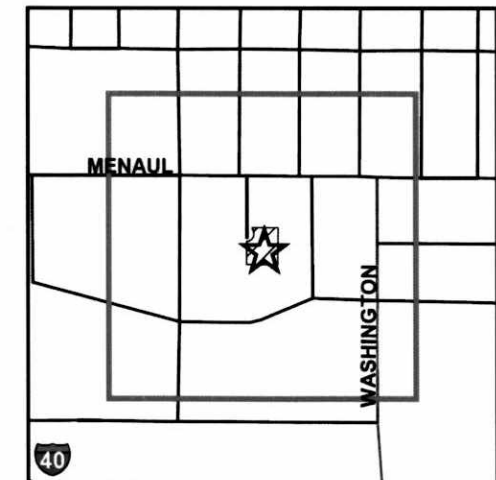


1 inch = 208 feet

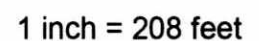
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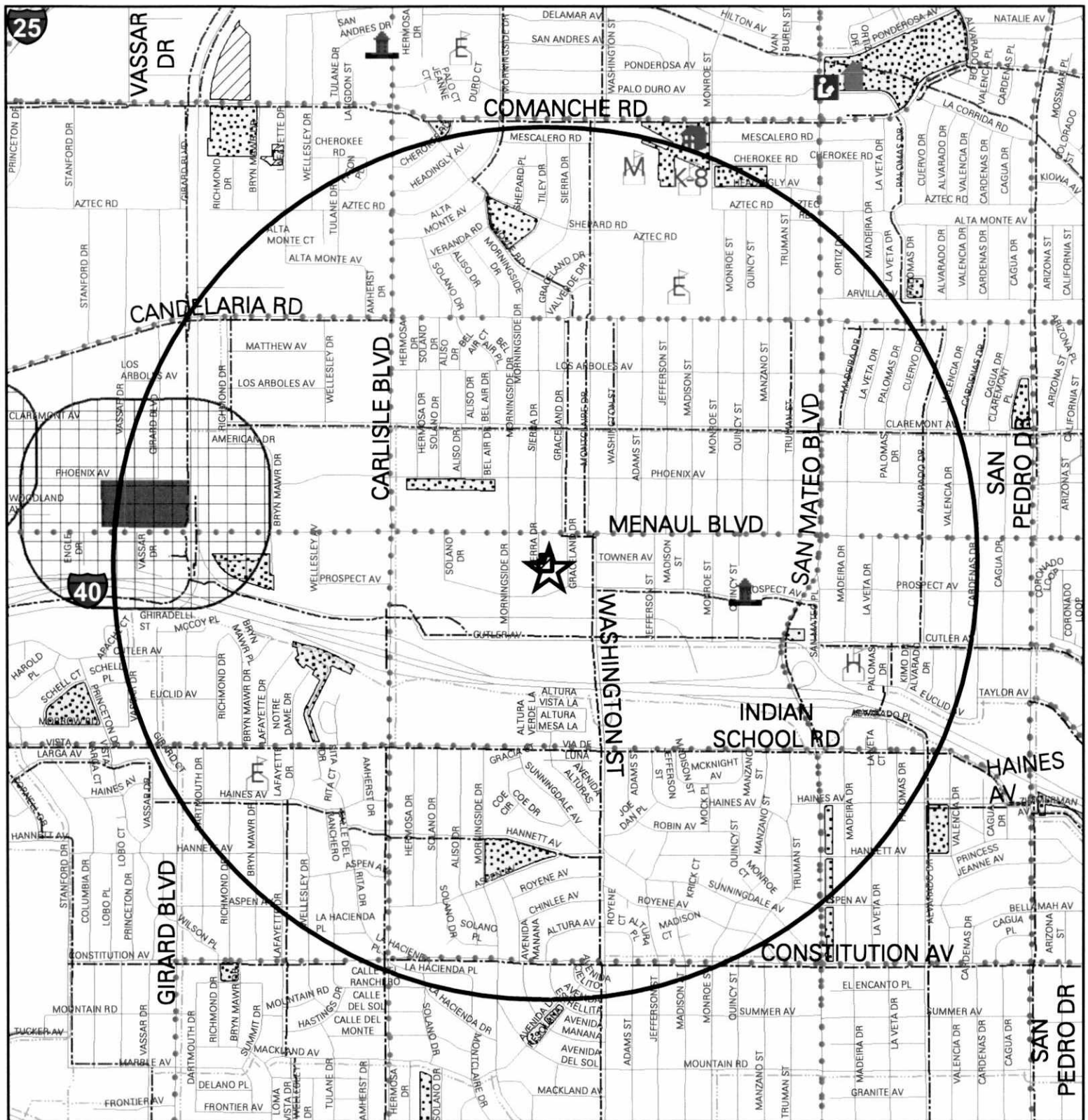
Zone Map Page: H-17
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Note: Grey shading indicates County.



Zone Map Page: H-17
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Public Facilities Map with One-Mile Buffer

- | | | | |
|----------------------|-------------------------|--------------------------|-----------------------------|
| COMMUNITY CENTER | FIRE | Public Schools | Landfill Buffer (1000 feet) |
| MULTI-SERVICE CENTER | POLICE | Proposed Bike Facilities | Landfills designated by EHD |
| SENIOR CENTER | SHERIFF | ABQ Bike Facilities | Developed County Park |
| LIBRARY | SOLID WASTE | ABQ Ride Routes | Undeveloped County Park |
| MUSEUM | Albuquerque City Limits | | Developed City Park |
| | | | Undeveloped City Park |

Project Number: 1011395

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1

Miles

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Attachments

I. INTRODUCTION

Surrounding zoning, plan designations, and land uses:

	Zoning	Comprehensive Plan Area; Applicable Rank II & III Plans	Land Use
Site	C-2	Area of Consistency	Residential (mobile home park)
North	C-2	Area of Change	Commercial (small retail shops)
South	C-2	Area of Consistency	Commercial service (post office)
East	C-2	Area of Change	Commercial (thrift store)
West	C-2	Area of Change, Area of Consistency	Commercial (auto accessories)

Request

The request is for a zone map amendment (zone change) for an approximately (≈) 0.5 acre site located on Sierra Dr. NE, a cul-de-sac just south of Menaul Blvd. NE (the “subject site”), zoned C-2 (Community Commercial). A mobile home park, consisting of eight spaces and six homes, has existed on the subject site for many years. It is being phased out by the applicant, who is also the property owner. The applicant wants to re-develop the property.

The applicant is requesting a zone change to the C-3 (Heavy Commercial) zone in order to develop a warehouse on the subject site. Warehousing is first permissive in the C-3 zone. Since the request is to a “straight zone” (not an SU-1 zone), a site development plan is not required at this time.

EPC Role

The EPC is hearing this case because the EPC is required to hear all zone change cases, regardless of site size, in the City. The EPC is the final decision-making body unless the EPC decision is appealed [Ref: §14-16-2-22(A)(1)]. If so, the Land Use Hearing Officer (LUHO) would hear the appeal and make a recommendation to the City Council. The City Council would make the final administrative decision. The request is a quasi-judicial matter.

Context

The subject site is located ≈250 feet south of Menaul Blvd. NE and is surrounded by various commercial uses. To the north is a small strip commercial center with four retail tenants. To the NE is a thrift store fronting Menaul Blvd. South of the subject site is a large Post Office. To the west, across Sierra Dr. NE, is an auto accessories store. East of the subject site is the thrift store.

The subject site is not located in a designated Activity Center. The American Square Community Activity Center is ≈830 feet west of the subject site. No sector development plan applies.

History

The subject site is part of the Timoteo Chavez addition, which spans from Menaul Blvd. on the north, Cutler Ave. on the south, Jefferson St. on the east, and roughly Morningside Ave. on the West.

Upon annexation, which was prior to 1954, the area was zoned R-1 with the exception of a commercial strip along Menaul Blvd. that was three lots deep and zoned C-2. In November 1954, the City Planning Commission (CPC) approved a request for a zone map amendment from R-1 to C-2 for several lots in the area (Z-181, see attachment).

There are no other records in the File Room. However, a Zone Atlas from 1964 shows that the entire Timoteo Chavez subdivision is zoned C-2 and C-3. The subject site is shown as C-2, so the zoning was changed sometime in the late 50s or early 60s.

It is unknown exactly when the existing mobile home park was built. The applicant states that the mobile home park used to be part of a much larger mobile home park. Over time, portions of it transitioned into non-residential uses. There used to be a public pool where the post office exists now, just south of the subject site. The mobile home on the subject site is a "pocket" that is left, much like the mobile home pocket that exists at the NW corner of Prospect Ave. and Morningside St. This is evident because the mobile homes are all from the same area and look similar.

The applicants owned the subject site since 1995; it was foreclosed upon. As of 1983, the mobile homes and the pool were still there. Apparently, the post office was built sometime in the 1980s on several lots that had been consolidated.

Transportation System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways. Menaul Blvd. is a Principal Arterial. Sierra Dr. NE is a local street.

Comprehensive Plan Corridor Designation

The subject site is approximately 250 feet south of Menaul Blvd., which the Comprehensive Plan designates as a Multi-Modal Corridor. Multi-Modal Corridors are intended to encourage the re-development of aging, auto-oriented, commercial strip development to a more mixed-use, pedestrian-oriented environment that focuses heavily on providing safe, multi-modal transportation options (p. 5-17).

Trails/Bikeways

There are no bike lanes or bike routes along Menaul Blvd. Washington St., just east of the subject site, has a bike lane.

Transit

ABQ Ride Route #8-Menaul passes by the subject site on Menaul Blvd. and offers frequent service from morning to evening, and on the weekends.

Public Facilities/Community Services

Please refer to the Public Facilities Map (see attachment), which shows public facilities and community services located within one mile of the subject site.

II. ANALYSIS of APPLICABLE ORDINANCES, PLANS, AND POLICIES

Albuquerque Comprehensive Zoning Code

The subject site is currently zoned C-2 (Community Commercial). The request proposes to change the zoning to C-3 Heavy Commercial. The C-3 (Heavy Commercial) zone “provides suitable sites for C-2 uses, wholesale commercial uses, and some light industrial uses which cause no vibration discernible beyond the premises” (see Zoning Code §14-16-2-18). The proposed use, warehousing, is found in subsection (A)(2)(k).

The subject site has been zoned C-2 (Community Commercial) zone for many years (see History section of this report). The C-2 zone “provides suitable sites for offices, for most service and commercial activities, and for certain specified institutional uses” (see Zoning Code §14-16-2-17). The C-2 zone, and other commercial zones, were amended in 2012 to allow residential uses permissive in the R-3 zone provided certain requirements were met- such as location within 660 feet of a designated transit corridor and a minimum site size of 0.5 acre.

However, the mobile home use existed prior to this amendment and may pre-date the subject site’s zoning. The applicant states that, in 1995, the Zoning Enforcement Manager determined that the mobile home park is non-conforming with respect to use and lot size.

Mobile Home Resident Notification Ordinance

Section 14-16-3-21 of the Zoning Code contains special notification requirements for mobile home park residents when a mobile home is planned to be phased out. Known as the Mobile Home Resident Notification Ordinance, this provision aims to minimize the hardship and disruption associated with displacing mobile home residents. Subsection D requires that owners provide written notice, not less than 18 months, prior to changing the use of the land and residents losing their homes.

In October 2016, the applicant sent a certified letter to the remaining mobile home tenants (6 total, see attachments). The 18 month notice requirements will be achieved in April 2018.

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in an area that the 2017 Albuquerque/Bernalillo County Comprehensive Plan has designated an Area of Consistency. A site development plan is not proposed at this time, so it is not possible to evaluate the form, scale, and character of the future development.

Few Goals and policies apply; applicable Goals and policies are listed below. Staff analysis follows in ***bold italics***.

Chapter 4: Community Identity

Goal 4.1 Character: Enhance, protect, and preserve distinct communities.

Policy 4.1.1 Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.

Goal 4.1 does not apply to the request. The subject site is south of Menaul Blvd., an area characterized by a wide variety of commercial Uses (service and retail), public, warehouse, and manufacturing uses. Though there are some mobile homes and apartments nearby, this area is not identified as a distinct community (there are neighborhood associations north and south of the area). Also, the mobile home park, which once included the post-office site, has become smaller over the last few decades.

Policy 4.1.1 does not apply to the request. The request does not include a site development plan, so it's not possible to evaluate the future development's quality at this time.

Chapter 5- Land Use

Goal 5.1- Centers and Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

Policy 5.1.1-Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

- c) Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

In general, locating commercial growth along a designated Major Transit Corridor supports the idea of Centers and Corridors. Though the development planned at this time is local growth (not regional growth), the C-3 zone may attract regional growth if it is redeveloped again in the future. The proposed use at this time, a warehouse, would generally not support a multi-modal transportation network. The request partially furthers Goal 5.1-Centers and Corridors and Policy 5.1.1- Desired Growth.

Goal 5.2- Complete Communities, and Policy 5.2.1- Healthy, Sustainable, and Distinct Communities, do not apply to the request. A warehouse is generally not the type of use that contributes to fostering complete communities in the sense that residents can live, work, learn, shop and play together. The warehouse is intended to address the storage needs of existing businesses and does not promote community, mixed-use development, or accessibility from surrounding neighborhoods.

Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Policy 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The request would allow redevelopment of a site that is already served by existing infrastructure and public facilities. Doing so is a more efficient use of land in the public interest, in contrast to greenfield development or fringe development. The request furthers Goal 5.3-Efficient Development Patterns.

The request would support additional growth in an area served by existing infrastructure and public facilities, and therefore furthers Policy 5.3.1-Infill Development.

Goal 5.6 City Development Areas: Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area.

The subject site is in an Area of Consistency. The request would facilitate development of a warehouse in an area that is characterized by a wide variety of commercial uses (retail and service), an institutional use (Post Office), warehousing, and single-family residential (existing mobile home parks on the subject site and south of it). Future development would generally reinforce the character and intensity of development in the surrounding area, and would be generally compatible with it- though the area is labeled an Area of Consistency and not an Area of Change. The request furthers Goal 5.6-City Development Areas.

Policy 5.6.3- Areas of Consistency: Protect and enhance the character of existing single-family neighborhoods, areas outside of Centers and Corridors, parks, and Major Public Open Space.

The subject site contains an existing single-family use, a mobile home park, and is not in a designated Activity Center. Generally, single-family uses are desired in Areas of Consistency and outside of Activity Centers. The request would add a warehouse use (commercial service), which is generally desired in Activity Centers and in Areas of Change. The request would not protect the character of the existing single-family use (the mobile home park). However, the character of this area, outside of an activity center, is based on a wide variety of commercial uses that developed based on zoning established (most likely) in the early 1960s and pre-dates the Comprehensive Plan. The request does not further Policy 5.6.2-Areas of Consistency.

Goal 7.3- Sense of Place, and Policy 7.3.4, regarding urban design and infill development, do not apply to the request. A site development plan is not proposed at this time, so it's not possible to consider the future structure's compatibility with the surrounding built environment.

Goal 7.5- Context Sensitive Site Design, does not apply. A site development plan is not proposed at this time, so it's not possible to consider site design.

Goal 8.2- Entrepreneurship: Foster a culture of creativity and entrepreneurship and encourage private businesses to grow.

Policy 8.2.1- Local Business: Emphasize local business development.

The request would facilitate development of a local business that would be owned and operated by the applicant, who is a local resident. It would also foster entrepreneurship by

the applicant and encourage a private business to develop and grow. The request further Goal 8.2-Entrepreneurship, and Policy 8.2.1- Local Business.

Resolution 270-1980- Policies for Zone Map Amendments

Requirements

Resolution 270-1980 outlines policies and requirements for deciding zone map change applications. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: 1) there was an error when the existing zone map pattern was created; or 2) changed neighborhood or community conditions justify the change; or 3) a different land use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

Justification & Analysis

The zone change justification letter analyzed here, received on October 23, 2017, is a response to Staff's request for a revised justification (see attachment). The subject site is currently zoned P. The requested zoning is C-2. The reason for the request is to allow re-development of the site with a building, parking, and storage uses that would encroach upon the P zoned area.

The applicant believes that the proposed zone map amendment (zone change) conforms to R270-1980 as elaborated in the justification letter. Staff analysis is in **bold text**. The citation in quotes is from R270-1980.

A. "A proposed zone change must be found to be consistent with the health, safety, morals and general welfare of the City."

Applicant (summarized): The proposed zone map amendment is consistent with the health, safety, morals and general welfare of the City because the request will further the outlined goals and policies of the Comprehensive Plan as demonstrated in Sections C and D. The allowed uses in C-3 will not be harmful to adjacent property, the neighborhood, or community as demonstrated in Section E. The rezone will allow for new infill development and the new land use exists within the immediate area.

Staff: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Goals and policies from the Comprehensive Plan (and other plans if applicable), which the applicant has done as demonstrated in the response to Section C and is re-stated in Section D. The response to Section A is sufficient.

B. "Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made."

Applicant (summarized): The zone change will provide for stability of land use and zoning because it will allow for development of an appropriate use for this location. Approval will allow for redevelopment of a struggling mobile home park in an area where such a use is no longer appropriate. Surrounding land uses and the proposed warehouse will contribute to stabilization of zoning and land use. The warehouse will offer more of an opportunity to stabilize land use and zoning than the existing use, a partially vacant mobile home park.

Staff: The applicant has adequately demonstrated that the proposed zone change would not adversely affect stability of land use or zoning in the area because the future warehouse use would be compatible with other, existing uses in the area (such as commercial services, commercial retail, warehousing). Also, the request is justified based on responses to Sections C and D, because it furthers applicable Goals and policies of the Comprehensive Plan. The response to Section B is sufficient.

C: "A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City."

Applicant (summarized): The applicant believes that the request will further the Comprehensive Plan Goals, policies, and actions as described in the policy analysis.

Applicable citations: Goal 5.1-Centers and Corridors and Policy 5.1.1-Desired Growth; Goal 5.3-Efficient Development Patterns, and Policy 5.3.1- Infill Development; Goal 5.6- City Development Areas and Policy 5.6.2-Areas of Change and action b; Goal 8.2-Entrepreneurship and Policy 8.2.1- Local Business.

Non-applicable citations: Goal 4.1- Character and Policy 4.1.4- Distinct Communities; Goal 5.2- Complete Communities and Policy 5.2.1-Healthy, Sustainable, and Distinct Communities; Goal 7.3-Sense of Place and Policy 7.3.4- Infill, built environment and building materials; Goal 7.5- Context-Sensitive Design and Policy 7.5.1-Landscape Design.

Some of the applicant's citations do not apply. A warehouse is generally not a use that promotes community. Also, since a site development plan is not proposed at this time, issues such as site design, building design, materials, and compatibility with surroundings cannot be evaluated except for as it pertains to uses.

**standard practice for a change to a straight zone. Only changes to an SU-1 zone require an associated site development plan pursuant to 14-16-2-22(A)(1).*

Overall, Staff finds the policy citations and responses adequate. Please refer to this report for Staff's policy analysis. No sector development plans apply in the area. The response to Section C is sufficient.

D. "The applicant must demonstrate that the existing zoning is in appropriate because:

- 1) there was an error when the existing zone map pattern was created, or
- 2) changed neighborhood or community conditions justify the change, or

- 3) a different use category is more advantageous to the community, as articulated in the comprehensive Plan or other City master plan, even though (1) and (2) above do not apply.”

Applicant (summarized): The existing zoning is inappropriate because a different use category is more advantageous to the community as articulated in the Comprehensive Plan as further explained in Section C. The new zoning would support small, locally owned businesses in an area that already reflects compatible uses and zoning. The subject site can support a different land use that is more advantageous to the community because it would fit with the context and contribute to the stability of the area.

Staff: The applicant has adequately demonstrated that the request would be more advantageous to the community because it would facilitate a use that is compatible with nearby uses and would further applicable Goals and policies in the Comprehensive Plan, as shown in the policy-based discussion in Section C. The response to Section D is sufficient.

- E. “A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or the community.”

Applicant (summarized): The rezone from C-2 to C-3 will not be harmful to adjacent properties or the community because the permissive uses of the requested zone already exist in the area, and it will not introduce a new activity or change the character of the area. Existing C-3 zoned lots in the area include uses such as a warehouse for liquor distribution, jewelry distribution, a home design center, and a plumber.

The C-3 zone allows warehousing with associated manufacturing, assembling, treating, repairing, or rebuilding of products. The subject site is small, which will eliminate potential heavy commercial uses.

Staff: The applicant intends to re-develop the subject site with a warehouse use for businesses that need storage and may do some manufacturing, assembling, treating, repairing, or rebuilding of products. The request would not be harmful to adjacent property, the neighborhood or the community because the area is already characterized by a mixture of C-2 and C-3 uses and has been for a long time. The residential use on the subject site is being phased out as the area continues to transition, as it has been for decades, to commercial uses. The response to Section E is sufficient.

- F. “A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the City may be:

- 1) denied due to lack of capital funds, or
- 2) granted with the implicit understanding that the City is not bound to provide the capital improvements on any special schedule.”

Applicant (summarized): The proposed zone change will not require any un-programmed capital expenditures by the City. This is an infill/redevelopment property with adequate existing infrastructure.

Staff: The request would not require major or unprogrammed capital expenditures by the City and the subject site is already served by existing infrastructure. The response to Section F is sufficient.

G. "The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone."

Applicant: The cost of land or other economic considerations are not the determining factor for the request. The request will address the non-conforming history of the property with a use that is appropriate at this location, and at the cost of the property owner.

Staff: Economic considerations are a factor, but they are not the determining factor for the request. The response to Section G is sufficient.

H: "Location on a collector or major street is not in itself sufficient justification of apartment, office or commercial zoning."

Applicant: The justification for the request is not based on location near a major street. Access to the site is from Sierra Drive, a local street, which is off of Menaul Blvd. Menaul Blvd. is a Community Principal Arterial. Justification for the request is property improvement, redevelopment, and infill.

Staff: The subject site is not located on a major street; it is located in a local street that is approximately 250 feet south of Menaul Blvd. Therefore, location of a major street cannot be used as justification for the request. The response to Section H is sufficient.

I: "A zone change request which would give a zone different from surrounding zoning to one small area, especially when only premise is involved, is generally called a 'spot zone'. Such a change of zone may be approved only when:

- 1) the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan, or
- 2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic or special adverse land uses nearby, or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone."

Applicant (summarized): The request would create a "spot zone" because the subject site would be completely surrounded by C-2 zoned properties. The C-3 zone is justified at this location because it will clearly facilitate realization of the Comprehensive Plan through its Goals and policies regarding community identity, land use, urban design, and economic

development as articulated in Section C. The proposed use is more in character with the area than the existing use.

Staff: The request would result in a spot zone because it would give a zone different (C-3) from surrounding zoning (C-2) to one small area, and one premises is involved. However, the applicant has demonstrated that the request will clearly facilitate realization of the Comprehensive Plan (see the response to Section C). The response to Section I is sufficient.

J: "A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called 'strip zoning'. Strip commercial zoning will be approved only where:

- 1) the change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan, and
- 2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby."

Applicant (summarized): The request does not meet the definition of strip zoning as defined in this section. The proposed zone change clearly facilitates realization of the Comprehensive Plan and would not adversely affect the character of the area.

Staff: The subject site does not constitute a "strip of land along a street" because it is approximately 0.5 acres in size and is square shaped, and therefore wouldn't be suitable for strip commercial development. The response to Section J is sufficient.

Staff Conclusion

Staff finds that the applicant has adequately justified the zone map amendment (zone change) pursuant to R270-1980. The policy-based response to Section C demonstrates that the request would further applicable Goals and policies in the Comprehensive Plan and that there is no significant conflict. Though the request would create a spot zone, it is justifiable because it would clearly facilitate realization of the Comprehensive Plan (Section I). The future warehouse use would operate in an area that has been characterized by C-2 and C-3 zoning for many years, and it would not be harmful to adjacent property, the neighborhood, or the community (Section E). The remaining sections (A, B, D, F, G, H and J) are adequately addressed. For these reasons, Staff recommends approval of the zone map amendment (zone change) request.

III. AGENCY & NEIGHBORHOOD CONCERNS

Reviewing Agencies

City departments and other interested agencies reviewed this application from 10/2/2017 to 10/19/2017. Few agency comments were received. Long Range Planning Staff note that Zoning Code section 14-16-3-21 requires 18 months notification to any mobile home park resident (when a mobile home park is being phased out). Water Utility Authority Staff note that the subject site has received service since 1981. PNM provided standard comments regarding distribution lines, new service, and screening of ground equipment. Agency comments begin on p.18 of this report.

Neighborhood/Public

The District 7 Coalition was required to be notified, which the applicant did (see attachments). Property owners within 100 feet of the subject site were also notified, as required (see attachments). A facilitated meeting was not requested. As of this writing, Staff has not received any inquiries or correspondence regarding the request. There is no known opposition.

IV. CONCLUSION

The request is for a zone map amendment for an ≈ 0.5 acre site located on Sierra Dr. NE, a cul-de-sac just south of Menaul Blvd. NE, zoned C-2 (Community Commercial). A small mobile home park has existed on the subject site for many years. The applicant, who is also the property owner, is phasing it out and wants to re-develop the property with a warehouse. Warehousing is first permissive in the C-3 zone. The mobile home residents have been notified in writing regarding the phasing out of the mobile home park, as required by Zoning Code §14-16-3-21.

The applicant has adequately justified the zone map amendment (zone change) pursuant to R270-1980. The policy-based response to Section C demonstrates that the request would further Goals and policies in the Comprehensive Plan. Though it would create a spot zone, it would be a justifiable spot zone because the request would clearly facilitate applicable Goals and policies. The remaining sections of R270-1980 are sufficiently addressed.

The District 7 Coalition was notified as required, as were property owners within 100 feet of the subject site. A facilitated meeting was not requested. Staff has not received any inquiries or written comments. There is no known opposition. Staff recommends approval.

FINDINGS - 17EPC-40050, November 09, 2017- Zone Map Amendment (Zone Change)

1. The request is for a zone map amendment (zone change) for an approximately (\approx) 0.5 acre site located on Sierra Dr. NE, a cul-de-sac just south of Menaul Blvd. NE (the "subject site"), zoned C-2 (Community Commercial).
2. The applicant is requesting a zone change to the C-3 (Heavy Commercial) zone in order to re-develop the subject site with a warehouse. The warehousing use is first permissive in the C-3 zone. The existing mobile home park is being phased out by the applicant, who is also the property owner.
3. The subject site is in an area that the Comprehensive Plan has designated an Area of Change. No area of sector development plans apply.
4. The Albuquerque/Bernalillo County Comprehensive Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.

5. The request furthers the following Land Use Goal and policy of the Comprehensive Plan:

Goal 5.3 Efficient Development Patterns: Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.

Policy 5.3.1 Infill Development: Support additional growth in areas with existing infrastructure and public facilities.

The request would allow redevelopment of a site that is already served by existing infrastructure and public facilities. Doing so is a more efficient use of land in the public interest, in contrast to greenfield development or fringe development (Goal 5.3). The request would support additional growth in an area served by existing infrastructure and public facilities (Policy 5.3.1).

6. The request generally furthers Comprehensive Plan Goal 5.6-City Development Areas, which states: "Encourage and direct growth to Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of the surrounding area."

The subject site is in an Area of Consistency. The request would facilitate development of a warehouse in an area that is characterized by a wide variety of commercial uses (retail and service), an institutional use (Post Office), warehousing, and single-family residential (existing mobile home parks on the subject site and south of it). Future development would generally reinforce the character and intensity of development in the surrounding area, and would be generally compatible with it- though the area is labeled an Area of Consistency and not an Area of Change.

7. The request furthers the following Goal and policy regarding economic development:

Goal 8.2- Entrepreneurship: Foster a culture of creativity and entrepreneurship and encourage private businesses to grow.

Policy 8.2.1- Local Business: Emphasize local business development.

The request would facilitate development of a local business that would be owned and operated by the applicant, who is a local resident. It would also foster entrepreneurship by the applicant and encourage a private business to develop and grow. The request furthers Goal 8.2- Entrepreneurship, and Policy 8.2.1- Local Business.

8. The request partially furthers the following Land Use Goal and policy of the Comprehensive Plan:

Goal 5.1- Centers and Corridors: Grow as a community of strong Centers connected by a multi-modal network of Corridors.

Policy 5.1.1-Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.

- c) Encourage employment density, compact development, redevelopment, and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge.

In general, locating commercial growth along a designated Major Transit Corridor supports the idea of Centers and Corridors. Though the development planned at this time is local growth (not regional growth), the C-3 zone may attract regional growth if it is redeveloped again in the future. The proposed use at this time, a warehouse, would generally not support a multi-modal transportation network.

9. The applicant has adequately justified the zone map amendment (zone change) request pursuant to Resolution 270-1980 as follows:

A. Section A: Consistency with the City's health, safety, morals and general welfare is shown by demonstrating that a request furthers applicable Goals and policies from the Comprehensive Plan (and other plans if applicable), which the applicant has done as demonstrated in the response to Section C and is re-stated in Section D.

B. Section B: The applicant has adequately demonstrated that the proposed zone change would not adversely affect stability of land use or zoning in the area because the future warehouse use would be compatible with other, existing uses in the area (such as commercial services, commercial retail, warehousing). Also, the request is justified based on responses to Sections C and D, because it furthers applicable Goals and policies of the Comprehensive Plan.

- C. Section C: The applicant's policy-based discussion demonstrates that the request furthers applicable Comprehensive Plan Goals and policies, and do not significantly conflict with it. The citations are sufficient.
 - D. Section D: The applicant has adequately demonstrated that the request would be more advantageous to the community because it would facilitate a use that is compatible with nearby uses and would further applicable Goals and policies in the Comprehensive Plan, as shown in the policy-based discussion in Section C.
 - E. Section E: The applicant intends to re-develop the subject site with a warehouse use for businesses that need storage and may do some manufacturing, assembling, treating, repairing, or rebuilding of products. The request would not be harmful to adjacent property, the neighborhood or the community because the area is already characterized by a mixture of C-2 and C-3 uses and has been for a long time. The residential use on the subject site is being phased out as the area continues to transition, as it has been for decades, to commercial uses.
 - F. Section F: The request would not require major or unprogrammed capital expenditures by the City and the subject site is already served by existing infrastructure.
 - G. Section G: Economic considerations are a factor, but they are not the determining factor for the request. The request will address the non-conforming history of the property with a use that is appropriate at this location, and at the cost of the property owner.
 - H. Section H: The subject site is not located on a major street; it is located in a local street that is approximately 250 feet south of Menaul Blvd. Therefore, location of a major street cannot be used as justification for the request.
 - I. Section I: The request would result in a spot zone because it would give a zone different (C-3) from surrounding zoning (C-2) to one small area, and one premises is involved. However, the applicant has demonstrated that the request will clearly facilitate realization of the Comprehensive Plan.
 - J. Section J: The subject site does not constitute a "strip of land along a street" because it is approximately 0.5 acres in size and is square shaped, and therefore wouldn't be suitable for strip commercial development.
10. The applicant has adequately justified the zone map amendment (zone change) pursuant to R270-1980. The policy-based response to Section C demonstrates that the request would further applicable Goals and policies in the Comprehensive Plan. Though the request would create a spot zone, it is justifiable because it would clearly facilitate realization of the Comprehensive Plan (Section I). The future warehouse use would operate in an area that has been characterized by C-2 and C-3 zoning for many years, and it would not be harmful to adjacent property, the neighborhood, or the community (Section E). The remaining sections (A, B, D, F, G, H and J) are adequately addressed.

11. The Mobile Home Resident Notification Ordinance, Zoning Code §14-16-3-21, requires that property owners notify mobile home park residents in writing when they plan on phasing out a mobile home park. The tenants must have at least 18 months to make different living arrangements. In October 2016, the applicant sent a certified letter to the remaining six mobile home tenants. The 18 month notice requirements will be achieved in April 2018.
12. The District 7 Coalition was required to be notified, which the applicant did (see attachments). Property owners within 100 feet of the subject site were also notified, as required (see attachments). A facilitated meeting was not requested. As of this writing, Staff has not received any inquiries or correspondence regarding the request. There is no known opposition.

RECOMMENDATION - 17EPC-40050, November 09, 2017

APPROVAL of 17EPC-40050, a zone change from C-2 to C-3, for Lots 17-A, 18-A and 19-A, Block 11, Timoteo Chavez Addition, an approximately 0.5 acre site located at 2517 Sierra Dr. NE, just south of Menaul Blvd. NE, between Carlisle Blvd NE and Washington St. NE, based on the preceding Findings.

Catalina Lehner

***Catalina Lehner, AICP
Senior Planner***

cc: Ed Anlian & Paula Dal Santo, 1200 Washington NE, ABQ, NM 87110
Arch + Plan Land Use Consultants, P.O. Box 25911, ABQ, NM 87125
Dist. 7 Coalition of NAs, Lynne Martin, 1531 Espejo NE, ABQ, NM 87112
Dist 7 Coalition of NAs, David Haughawout, 2824 Chama St. NE, ABQ, NM 87110

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Enforcement

Office of Neighborhood Coordination

Long Range Planning

Per section 14-16-3-21, Zoning Code requires 18 months notification to any mobile home park resident.

CITY ENGINEER

Transportation Development

No objection to the request.

Hydrology Development

New Mexico Department of Transportation (NMDOT)

No comment.

DEPARTMENT of MUNICIPAL DEVELOPMENT

Transportation Planning

Traffic Engineering Operations (Department of Municipal Development):

Street Maintenance (Department of Municipal Development):

RECOMMENDED CONDITIONS FROM CITY ENGINEER, DMD and NMDOT:

WATER UTILITY AUTHORITY

Utility Services

17EPC-40050 Zone Map Amendment (Zone Change)-Identification: UPC – 101705919323031320

- a. No adverse comment
- b. Property has been receiving service since 1981

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

PARKS AND RECREATION

Planning and Design

Open Space Division

City Forester

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division- No Comment.

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

Menaul Multi-Modal Corridor. Proximate to fixed-route 8 on Menaul.

Nearest stop pair: eastbound- 250 feet west of Sierra Dr., westbound- 450 east of Sierra Dr.

No comment.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed. No comment.

ALBUQUERQUE PUBLIC SCHOOLS

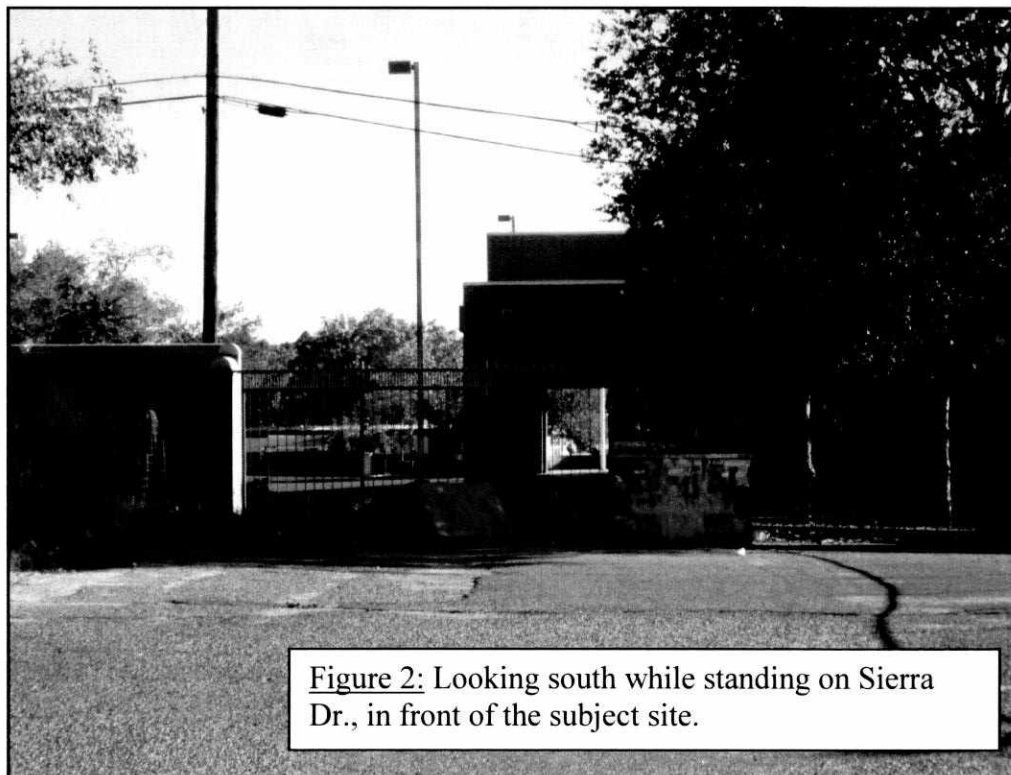
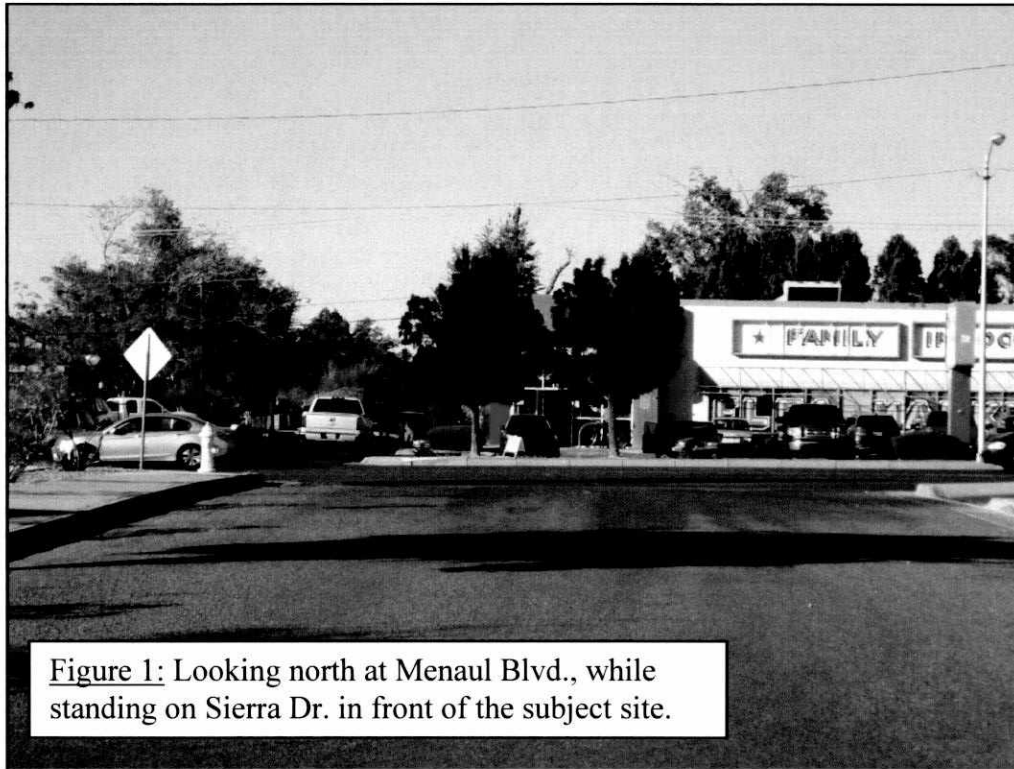
This will have no adverse impacts to the APS district.

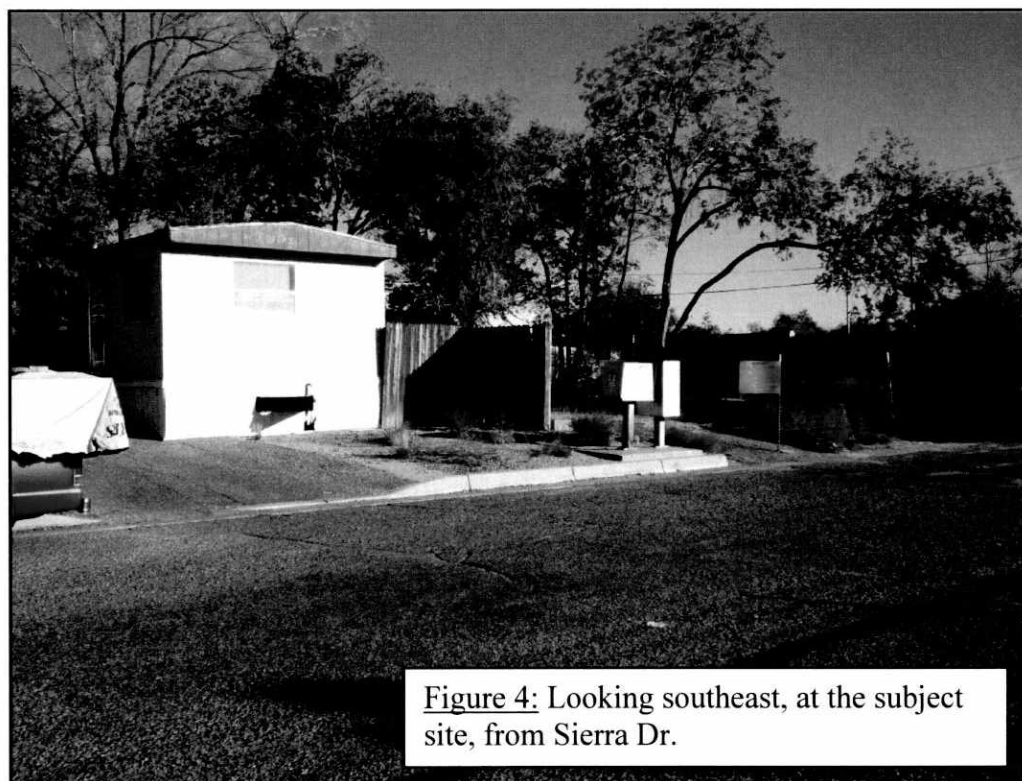
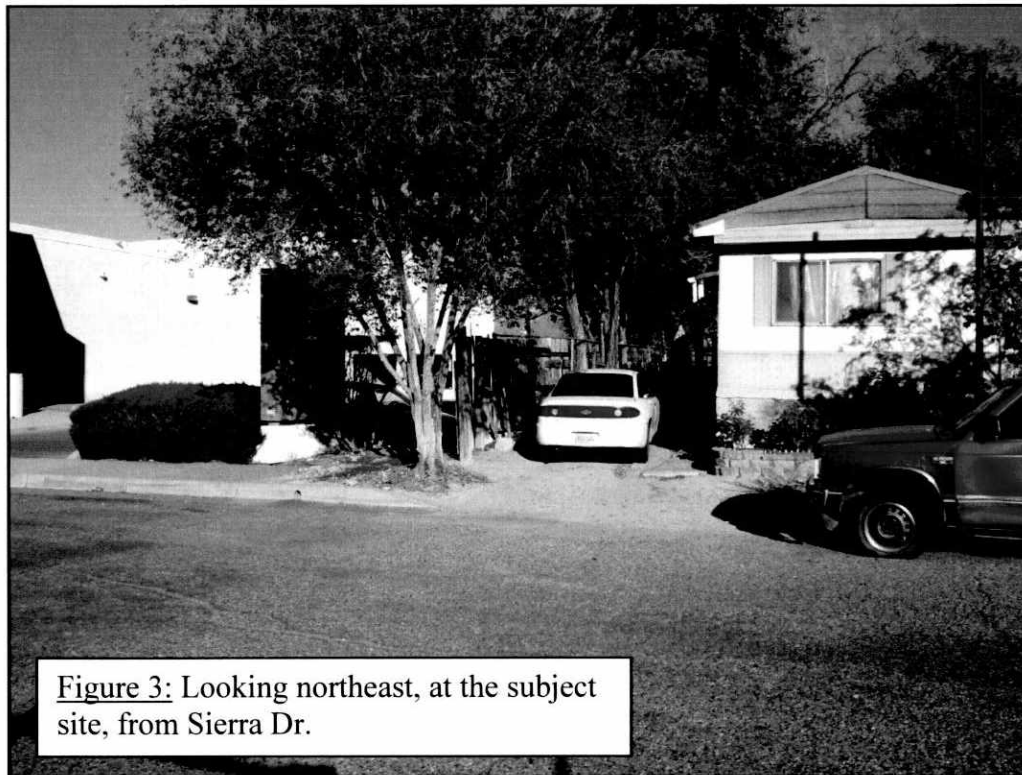
MID-REGION COUNCIL OF GOVERNMENTS

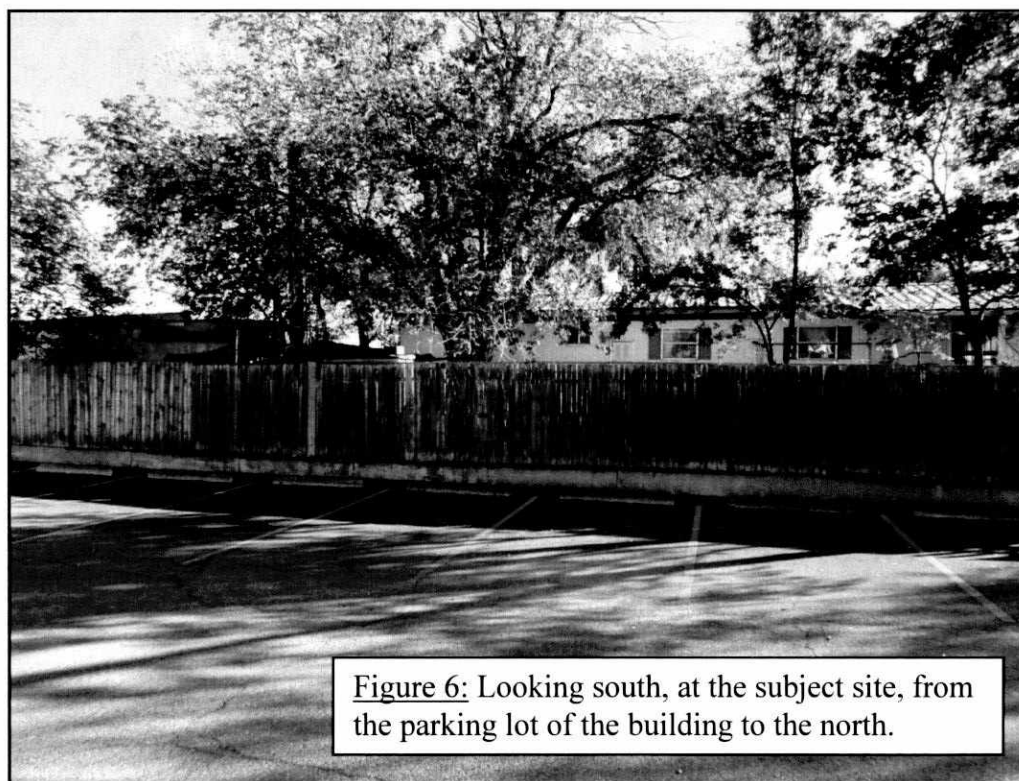
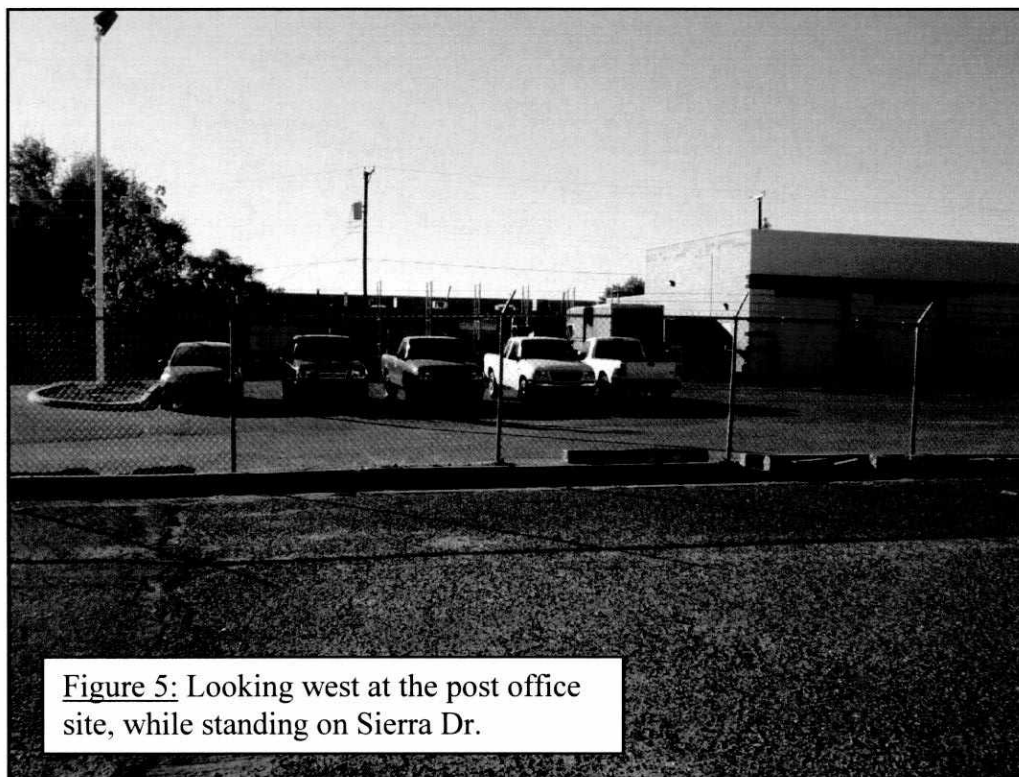
MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

1. An existing PNM overhead distribution lines is located along the eastern boundary of the subject property. It is the applicant's obligation to abide by any conditions or terms of those easements.
2. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project. Contact:
Andrew Gurule
PNM Service Center- 4201 Edith Boulevard NE, Albuquerque, NM 87107
Phone: (505) 241-0589
3. Ground-mounted equipment screening will be designed to allow for access to utility facilities. All screening and vegetation surrounding ground-mounted transformers and utility pads are to allow 10 feet of clearance in front of the equipment door and 5-6 feet of clearance on the remaining three sides for safe operation, maintenance and repair purposes. Refer to the PNM Electric Service Guide at www.pnm.com for specifications.







ZONING

Please refer to §14-16-2-17 for the C-2 zone
and to §14-16-2-18 for the C-3 zone

HISTORY



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

ZONING ENFORCEMENT

Plaza National Bank - Garden Level

600 - 2nd St., N.W., Albuquerque, New Mexico 87102

Telephone No. (505) 764-1664 - Telecopier No. (505) 764-1692

January 25, 1995

Curtis A. Brewer, CCIM
Associate Broker
Berger Briggs Real Estate & Insurance, Inc.
P.O. Drawer K
Albuquerque, New Mexico 87103

Re: 2517 SIERRA DR. N.E.

Dear Mr. Brewer:

This is to certify that according to the map on file in this office as of this date, Lots 17A, 18A, and 19A, Block 11, Timeteo Chavez Addition, Albuquerque, Bernalillo County, New Mexico are zoned C-2, Community Commercial.

The C-2 zone allows a mobile home park as a conditional use provided the lot area is at least three acres. In this case, the park is not three acres in size and is not approved as a conditional use. Therefore, the park is non-conforming as to lot size and also non-conforming as to use, but only until such time that a conditional use is approved. The park as it exists has until January 1, 2026 to apply for the conditional use.

If you should have any questions regarding this matter, please feel free to call me at 764-1664.

Sincerely,

Robert E. Romero
Zoning Enforcement Manager

Copy Via Fax# 243-1505
RER/bjmc

1" = 30'
PROJECT NO. 53A-02
PLOT BY T.S. EVANS

TRACT X
TIMOTEO CHAVEZ SUBDIVISION
(2/2/83, C20-156)

LEGAL DESCRIPTION

Lot numbered Seven-A (17-A), Eighteen-A (18-A) and Nineteen-A (19-A) in Block numbered Eleven (11) of **EMOTEO CHAVEZ ADDITION** in the City of Albuquerque, New Mexico, as the same is shown and designated on the replat of portions of Tract F and Blocks 11 & 13 of said Addition, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on November 5, 1936 in map book C7, folio 168.

EXCEPTING THEREFROM

The Southeast portion of Lot 17-A described above conveyed to the United States Postal Service in that deed dated December 2, 1925 and recorded in Book 13256A, Pages 849 and 850, records of Bernalillo County, New Mexico.

NOTES

- 1 Basis of bearings per TIMOTEI CHAVEZ ALBUQUERQUE, filed November 6, 1970 in
Volume C7, folio 168.
- 2 Bearings and distances in () parenthesis per record
- 3 Error of closure is 1' in every 10,000' or more.

SURVIVOR'S CERTIFICATE

I, FRANKLIN B. WILSON, LICENSED UNDER THE LAWS OF THE STATE OF MEXICO, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECTION FROM NOTES OF AN ACTUAL FIELD SURVEY AND THE SURVEY AND PLAT MEET THE MINIMUM STANDARD FOR SURVEYING IN NEW MEXICO. THIS CERTIFICATE IS ISSUED AT ALBUQUERQUE, NEW MEXICO ON THIS 21st DAY OF 1944.

WILSON, WILLIS MC GEE



SOUTHWEST SURVEY

345 LOMAS BLVD. N.E.
ALBUQUERQUE, NEW MEXICO
87102

PHONE: (505) 247-4444
FAX: (505) 242-8059

NO.	DELTA	RADIUS	LENGTH
C-1	31°54'37"	25.00'	13.92'
C-2	122°12'37"	40.00'	85.32'
LINES			
	BEARINGS	DISTANCE	
L-1	N 89°38'24" W	19.65'	
L-2	N 00°21'41" E	3.33'	

RESOLUTION

Resolved that the following proposed amendment to the Comprehensive Zoning Ordinance, proposed by Paul Rodfray, J. G. Wills, Jr.,

to-wit: Change Lots 7 thru 13 in Blk 8; Lot 7 and 8 in Blk 9; Lots 1 and 25 thru 33 in Blk 9 of the Replat of Blk 7 A thru F in the Timoteo Chavez Addn. from Res. 1 to Res. 4 Zone; change all of Blk 8 of the same replat from Res. 1 to C-2 Zone; change lots 13 thru 14 and all of 15 in Blk 15 of the Timoteo Chavez Addn. from Res. 1 to Res. 4 Zone. Change lots 4 thru 12 in Blk 15 and Lots 4 thru 21 in Blk 9; Lots 4 thru 15 in Blks 11 and 13 and all west portion of Blks 5 and 7 between Washington and Jefferson Sts. and Towner Ave and Manual Blvd. from Res. 1 to Com'l 2 Zone.

be and it is hereby approved.

11-22-54
Date

The foregoing Resolution was adopted at a regular meeting of the City Planning Commission of the City of Albuquerque, New Mexico, held at 7:45 P. M. on Nov. 22, 1954, by a vote of 5 to 0, and constitutes the written declaration required by Section 25 of the Comprehensive Zoning Ordinance of the City of Albuquerque, New Mexico.

The ordinance provides that an appeal may be taken to the City Commission within ten (10) days from the date of this written declaration.

CITY PLANNING COMMISSION

Copy of the foregoing was mailed to the proponent of the proposed amendment this 15 day of Dec., 1954.

Helen E. Brown
Secretary

APPLICATION INFORMATION

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

- ☐ Major subdivision action
☐ Minor subdivision action
☐ Vacation
☐ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- ☐ for Subdivision
☐ for Building Permit
☐ Administrative Amendment/Approval (AA)
☐ IP Master Development Plan
☐ Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- ☐ Storm Drainage Cost Allocation Plan

Supplemental Form (SF)

S Z ZONING & PLANNING

- ☐ Annexation
☒ Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
☐ Adoption of Rank 2 or 3 Plan or similar
☐ Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations

D A APPEAL / PROTEST of...

- ☐ Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102.

Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): Arch + Plan Land Use Consultants PHONE: 980-8365
 ADDRESS: P.O. Box 25911 FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87125 E-MAIL: arch.plan@comcast.net

APPLICANT: ED ANLIAN & PAULA DA SILVA PHONE: _____
 ADDRESS: 1200 WASHINGTON NE FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87110 E-MAIL: _____

Proprietary interest in site: OWNERS List all owners: _____

DESCRIPTION OF REQUEST: ZONE MAP AMENDMENT FROM C-2 TO C-3

Is the applicant seeking incentives pursuant to the Family Housing Development Program? ☐ Yes ☒ No.

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. 17-A, 18-A & 19-A Block: 11 Unit: _____
 Subdiv/Addn/TBKA: TIMOTEO CHAVEZ ADDITION
 Existing Zoning: C-2 Proposed zoning: C-3 MRGCD Map No _____
 Zone Atlas page(s): H-17 UPC Code: 1-017-059-193-230-313-20

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): _____

CASE INFORMATION:

Within city limits? ☒ Yes Within 1000FT of a landfill? NO
 No. of existing lots: 3 No. of proposed lots: _____ Total site area (acres): .48±

LOCATION OF PROPERTY BY STREETS: On or Near: 2517 SIERRA DRIVE
 Between: MENARD BLVD and PROSPECT AV

Check if project was previously reviewed by: Sketch Plat/Plan ☐ or Pre-application Review Team (PRT) ☒ Review Date: 5.17.16

SIGNATURE Derrick Archuleta DATE 9.28.17

(Print Name) DERRICK ARCHULETA Applicant: ☐ Agent: ☐

FOR OFFICIAL USE ONLY

Revised: 4/2012

- ☐ INTERNAL ROUTING
☐ All checklists are complete
☐ All fees have been collected
☐ All case #s are assigned
☐ AGIS copy has been sent
☐ Case history #s are listed
☐ Site is within 1000ft of a landfill
☐ F.H.D.P. density bonus
☐ F.H.D.P. fee rebate

Application case numbers

17EPC-40050

Action

AZM

S.F.

Fees

\$240.00

CMF

\$50.00

ADV

\$15.00

\$

\$

\$

\$

\$

\$

Hearing date

Nov. 9, 2017

9-28-17

Project #

1011395

Staff signature & Date

FORM Z: ZONE CODE TEXT & MAP AMENDMENTS, PLAN APPROVALS & AMENDMENTS

☐ ANNEXATION (EPC08)

- ☐ Application for zone map amendment including those submittal requirements (see below).
Annexation and establishment of zoning must be applied for simultaneously.
 - ☐ Petition for Annexation Form and necessary attachments
 - ☐ Zone Atlas map with the entire property(ies) clearly outlined and indicated
NOTE: The Zone Atlas must show that the site is in County jurisdiction, but is contiguous to City limits.
 - ☐ Letter describing, explaining, and justifying the request
NOTE: Justifications must adhere to the policies contained in "Resolution 54-1990"
 - ☐ Letter of authorization from the property owner if application is submitted by an agent
 - ☐ Board of County Commissioners (BCC) Notice of Decision
 - ☐ Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
 - ☐ Sign Posting Agreement form
 - ☐ Traffic Impact Study (TIS) form
 - ☐ List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.*

Your attendance is required.

☐ SDP PHASE I - DRB CONCEPTUAL PLAN REVIEW (DRBPH1)

(Unadvertised)

☐ SDP PHASE II - EPC FINAL REVIEW & APPROVAL (EPC14)

(Public Hearing)

☐ SDP PHASE II - DRB FINAL SIGN-OFF (DRBPH2)

(Unadvertised)

- ☐ Copy of findings from required pre-application meeting (needed for the DRB conceptual plan review only)
 - ☐ Proposed Sector Plan (30 copies for EPC, 6 copies for DRB)
 - ☐ Zone Atlas map with the entire plan area clearly outlined and indicated
 - ☐ Letter describing, explaining, and justifying the request
 - ☐ Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for EPC public hearing only)
 - ☐ Traffic Impact Study (TIS) form (for EPC public hearing only)
 - ☐ Fee for EPC final approval only (see schedule)
 - ☐ List any original and/or related file numbers on the cover application
- Refer to the schedules for the dates, times and places of DRB and EPC hearings.*

Your attendance is required.

☒ AMENDMENT TO ZONE MAP - ESTABLISHMENT OF ZONING OR ZONE CHANGE (EPC05)

- ☒ Zone Atlas map with the entire property clearly outlined and indicated
 - ☒ Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980.
 - ☒ Letter of authorization from the property owner if application is submitted by an agent
 - ☒ Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts
 - ☒ Sign Posting Agreement form
 - ☒ Traffic Impact Study (TIS) form
 - ☒ Fee (see schedule)
 - ☒ List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.*

Your attendance is required.

☐ AMENDED TO SECTOR DEVELOPMENT MAP (EPC03)

☐ AMENDMENT SECTOR DEVELOPMENT, AREA, FACILITY, OR COMPREHENSIVE PLAN (EPC04)

- ☐ Proposed Amendment referenced to the materials in the Plan being amended (text and/or map)
 - ☐ Plan to be amended with materials to be changed noted and marked
 - ☐ Zone Atlas map with the entire plan/amendment area clearly outlined
 - ☐ Letter of authorization from the property owner if application is submitted by an agent (map change only)
 - ☐ Letter describing, explaining, and justifying the request pursuant to Resolution 270-1980 (Sector Plan map change only)
 - ☐ Letter briefly describing, explaining, and justifying the request
 - ☐ Office of Neighborhood Coordination (ONC) inquiry response form, notification letter(s), certified mail receipts (for sector plans only)
 - ☐ Traffic Impact Study (TIS) form
 - ☐ Sign Posting Agreement
 - ☐ Fee (see schedule)
 - ☐ List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.*

Your attendance is required.

☐ AMENDMENT TO ZONING CODE OR SUBDIVISION REGULATORY TEXT (EPC07)

- ☐ Amendment referenced to the sections of the Zone Code/Subdivision Regulations being amended
 - ☐ Sections of the Zone Code/Subdivision Regulations to be amended with text to be changed noted and marked
 - ☐ Letter describing, explaining, and justifying the request
 - ☐ Fee (see schedule)
 - ☐ List any original and/or related file numbers on the cover application
- EPC hearings are approximately 7 weeks after the filing deadline.*

Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

DERRICK APPELTA

Derrick Appelta

Applicant name (print)

9-28-17

Applicant signature & Date

Revised: June 2011



- ☐ Checklists complete
- ☐ Fees collected
- ☐ Case #s assigned
- ☐ Related #s listed

Application case numbers

17EPC - 40050

Project # 1011395

Staff signature & Date

9-28-17

ED ANLIAN & PAULA DAL SANTO
1200 WASHINGTON ST NE
ALBUQUERQUE NM 87110

September 26, 2017

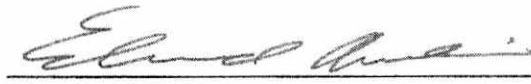
To Whom It May Concern:

I am authorizing Derrick Archuleta, ARCH+PLAN Land Use Consultants LLC to represent us with all matters pertaining to a Zone Map Amendment (C-2 to C-3) request and process for Tracts 17-A, 18-A and 19-A, Block 11, Timoteo Chavez Addition located on Sierra Drive NE, between Menaul Boulevard and Prospect Avenue within the City of Albuquerque.

The authorization will include, but not limited to:

- Preparation of materials for the Environmental Planning Commission
- Project management
- Project representation
- Execution of all documents to be submitted to the City of Albuquerque.

If you have any questions, please contact me.



Ed Anlian



Paula Dal Santo

CITY OF ALBUQUERQUE

TRAFFIC IMPACT STUDY (TIS) FORM

APPLICANT: DERRICK ARCHULETA DATE OF REQUEST: 9/27/17 ZONE ATLAS PAGE(S): H-17

CURRENT:

ZONING C-2
PARCEL SIZE (AC/SQ. FT.) .48

LEGAL DESCRIPTION:

LOT OR TRACT # 17A-18A-19A BLOCK # 11
SUBDIVISION NAME TIMOTEO CHAVEZ

REQUESTED CITY ACTION(S):

ANNEXATION ☐
ZONE CHANGE ☒: From C-2 To C-3
SECTOR, AREA, FAC, COMP PLAN ☐
AMENDMENT (Map/Text) ☐

SITE DEVELOPMENT PLAN:

SUBDIVISION* ☐ AMENDMENT ☐
BUILDING PERMIT ☐ ACCESS PERMIT ☐
BUILDING PURPOSES ☐ OTHER ☐

*includes platting actions

PROPOSED DEVELOPMENT:

NO CONSTRUCTION/DEVELOPMENT ☐
NEW CONSTRUCTION ☒
EXPANSION OF EXISTING DEVELOPMENT ☐

GENERAL DESCRIPTION OF ACTION:

OF UNITS: _____
BUILDING SIZE: 6,388 (sq. ft.)

Note: changes made to development proposals / assumptions, from the information provided above, will result in a new TIS determination.

APPLICANT OR REPRESENTATIVE Derrick Archuleta DATE 9.27.17
(To be signed upon completion of processing by the Traffic Engineer)

Planning Department, Development & Building Services Division, Transportation Development Section -
2ND Floor West, 600 2ND St. NW, Plaza del Sol Building, City, 87102, phone 924-3994

TRAFFIC IMPACT STUDY (TIS) REQUIRED: YES ☐ NO ☒ BORDERLINE ☐

THRESHOLDS MET? YES ☐ NO ☒ MITIGATING REASONS FOR NOT REQUIRING TIS: PREVIOUSLY STUDIED: ☐
Notes:

If a TIS is required: a scoping meeting (as outlined in the development process manual) must be held to define the level of analysis needed and the parameters of the study. **Any subsequent changes to the development proposal identified above may require an update or new TIS.**

[Signature]
TRAFFIC ENGINEER

09-27-17
DATE

Required TIS **must be completed prior to applying to the EPC and/or the DRB.** Arrangements must be made prior to submittal if a variance to this procedure is requested and noted on this form, otherwise the application may not be accepted or deferred if the arrangements are not complied with.

TIS -SUBMITTED / / TRAFFIC ENGINEER _____ DATE _____
-FINALIZED / /

Revised January 20, 2011

ARCH+PLAN

LAND USE CONSULTANTS

ALBUQUERQUE NM

October 20, 2017

Ms. Karen Hudson, Chair
Environmental Planning Commission
c/o City of Albuquerque
P.O. Box 1293
Albuquerque NM 87103

RE: ZONE MAP AMENDMENT FROM C-2 TO C-3, ZONE ATLAS PAGE H-17-Z

Ms. Hudson and members of the Environmental Planning Commission:

ARCH+PLAN Land Use Consultants, agent for Ed Anlian and Paula Dal Santo, in accordance with City Resolution 270-1980, respectfully request your review and approval of a Zone Map Amendment, allowing a change of zoning from C-2 (Community Commercial) to C-3 (Heavy Commercial) for the property described as Lots 17-A, 18-A and 19-A, Block 11, Timoteo Chávez Addition, consisting of 0.48± acres located at 2517 Sierra Drive NE.

The property is located at the end of a cul-de-sac on Sierra Drive, between Menaul Boulevard and Prospect Avenue. The surrounding area is mix of commercial uses including retail, service and wholesale/warehousing including public/institutional.

The applicant proposes to construct a 6,648 square foot building on the property. The intent of the building is geared towards small businesses that may include some level of light manufacturing, assembling, treating, repairing or rebuilding of products only allowed in the requested zone with warehousing options. The design will accommodate 4 to 5 units ranging from 1,200 to 1,500 square feet. The site will include 3,128 square feet of landscaping and 27 parking spaces. The zone change is needed to support the proposed use. Manufacturing, assembling, treating, repairing or rebuilding of products with warehousing is not allowed in the existing C-2 zone. Expressed interest has come from local businesses such as dental labs, medical equipment repair and jewelry assembly which would benefit from those options. The zone change is needed to allow for these uses as permissive to prospective businesses not needing large spaces.

The existing land use is a mobile home park, which has proven over time no longer to be appropriate at this location. In 1995, the City Zoning Enforcement Manager determined the park as "non-conforming" to both lot size and land use. The property is subject to the Mobile Home Resident Notification ordinance §14-16-3-21(D) Termination of mobile home park tenancy from change of use, which states that "*...the landlord shall first give the resident of each mobile home subject to such eviction a written notice of his intent to evict not less than 18*

months prior to such change of use of the land, notice to be mailed to each resident." The applicant sent a letter to remaining tenants in October 2016 and the 18 month requirement will be achieved in April 2018.

If granted, the requested Zone Map Amendment would create a more favorable zoning designation for the subject property. The existing land use has proven a challenge to maintain as a result of changed conditions over time. Existing land uses of the general area do not compliment the mobile homes currently on the property. The requested C-3 zone which allows for proposed uses, will facilitate the redevelopment of the site in a manner that provides new economic investment in the immediate area and will allow for needed services and employment opportunities.

Justification and Policy Analysis

Below is the Resolution 270-1980 analysis to show how the requested Zone Map Amendment for this property with further goals set in the Albuquerque/Bernalillo County Comprehensive Plan. The responses provided below show how the requested zone is consistent with the growth and development patterns desired by the City.

- A. A proposed zone change must be found consistent with the health, safety, morals and general welfare of the city.

The proposed zone map amendment is consistent with the health, safety, morals and general welfare of the City because the request will further the outlined goals and policies of the Comprehensive Plan as demonstrated in Sections C and D of this request. The allowed uses under C-3 will not be harmful to adjacent property, the neighborhood or community as demonstrated in Section E. The rezone will allow for new infill development in a location no longer appropriate for a mobile home park with a new land use that exists within the immediate area and proven to support the health, safety, morals and general welfare of the City.

- B. Stability in land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change must be made, not on the city to show why the change should not be made.
- The zone change will provide for stability of both land use and zoning of the property because it will allow for the development of an appropriate use for this location. Approval of the zone change will allow for the redevelopment of a struggling mobile home park site in an area no longer appropriate for this type of land use.***

The site has struggled with the historical use for many years as the area transitioned to more C-2 and C-3 uses and away from mobile home uses. Many of the spaces have been vacant for several years and the property owner has struggled to replace many of the spaces left vacant which resulted in the interest to request the subject rezone. The applicant purchased the property in 1995 and for twenty one years attempted to maintain the mobile home park with little success due to existing surrounding conditions.

Surrounding land uses and the proposed warehouse will contribute to the stabilization of zoning and land use. Adjacent uses include a car and accessory business to the west,

which have placed the garage bays and employee parking next to the subject property. The property to the south is a post office, the subject site is adjacent to their parking lot. The property to the east is the St. Vincent de Paul Society, which has their warehouse next to the subject property. To the north of the site are commercial uses known as Sierra Square Offices. The subject site is to the rear of the offices adjacent to their parking lot.

Following the Goals of the Comprehensive Plan, the property owner would like to focus on reflecting an appropriate commercial use on the site. The proposed warehouse on the site adjacent to existing surrounding uses offer more of an opportunity to stabilize land use and zoning rather than the existing land use, a partially vacant mobile home park.

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE PLAN

This request will further the Comprehensive Plan goals, policies and actions as described in the following policy analysis.

CHAPTER 4 – COMMUNITY IDENTITY

GOAL 4.1 CHARACTER: Enhance, protect, and preserve distinct communities.

Policy 4.1.1: “Distinct Communities: Encourage quality development that is consistent with the distinct character of communities.”

b) See Land Use Policy 5.2.1 for desired land uses

- *The proposed request will allow development on the property in a manner that furthers the Policy of creating a quality urban environment. The requested zone offers an opportunity to remove the existing “non-conforming” use to a redevelopment/infill project on a site that has been deteriorating for several years. The site is in need of new investment and revitalization. Construction of a warehouse is an extension of longstanding and compatible uses in the area. The site will support small local businesses. The proposed use will not generate activity that is not compatible with existing land uses and will contribute to the existing character of the area.*

CHAPTER 5 – LAND USE

GOAL 5.1 CENTERS & CORRIDORS: Grow as a community of strong Centers connected by a multi-modal network of corridors.

Policy 5.1.1: “Desired Growth: Capture regional growth in Centers and Corridors to help shape the built environment into a sustainable development pattern.”

c) Encourage employment density, compact development, redevelopment and infill in Centers and Corridors as the most appropriate areas to accommodate growth over time and discourage the need for development at the urban edge

- *The site appears to be within the American Square Activity Center accessed from a multi-modal corridor Menaul Boulevard, which encourages redevelopment and infill on the subject property at this appropriate location. By April of 2018, the site*

will be vacant and the applicant is proposing to support this Policy through new employment opportunities with local business offering 4 to 5 spaces within the proposed building.

GOAL 5.2 COMPLETE COMMUNITIES: *Foster communities where residents can live, work, learn, shop and play together.*

Policy 5.2.1: "Land Uses: Create healthy, sustainable, and distinct communities with a mix of uses that are conveniently accessible from surrounding neighborhoods."

h) Encourage infill development that adds complimentary uses and is compatible in form and scale to the immediately surrounding development

- *Commercial land uses would be introduced to the subject property after several decades of serving as a mobile home park. Proposed zone of C-3 uses are found throughout the immediate area. The proposed change will allow the applicant to redevelop the property in a manner appropriate to the existing conditions in the vicinity.*

GOAL 5.3 EFFICIENT DEVELOPMENT PATTERNS: *Promote development patterns that maximize the utility of existing infrastructure and public facilities and the efficient use of land to support the public good.*

Policy 5.3.1: "Infill Development: Support additional growth in areas with existing infrastructure and public facilities."

- *Approval of the zone change will make way for the redevelopment of a soon to be vacant property within the Established Urban Area. The requested C-3 zoning will allow for the ability to maximize existing infrastructure and public facilities. The subject site promotes efficient use of land to serve the public good with infill and support of local economic development.*

GOAL 5.6 CITY DEVELOPMENT AREAS: *Encourage and direct growth in Areas of Change where it is expected and desired and ensure that development in and near Areas of Consistency reinforces the character and intensity of surrounding area.*

Policy 5.6.2: "Areas of Change: Direct growth and more intense development to Centers, Corridors, industrial and business parks, and Metropolitan Redevelopment Areas where change is encouraged."

b) Encourage development that expands employment opportunities

- *The proposed warehouse will encourage redevelopment on the subject property with opportunities for employment with the addition of 4 to 5 businesses to move into the proposed building.*

f) Minimize potential negative impacts of development on existing residential uses with respect to noise, stormwater runoff, contaminants, lighting, air quality and traffic.

- *The existing land use is currently dealing with the negative impacts of being surrounded by incompatible land uses which reflect the 21 year struggle of the property owner to maintain the mobile home park. Completely surrounded by commercial land uses likely create issues in respect to noise, lighting, air quality and traffic as a result of being an isolated residential land use.*

CHAPTER 7 – URBAN DESIGN

GOAL 7.3 SENSE OF PLACE: *Reinforce sense of place through context-sensitive design of development and streetscapes.*

Policy 7.3.4: "Infill: Promote infill that enhances the built environment or blends style and building materials with surrounding structures and the streetscape of the block in which it is located."

d) See Land Use Goals 5.5 and 5.6.

e) See Land Use Policies 5.1.2 and 5.3.1

- ***As part of promoting infill, the proposed structure will be compatible with the character of immediate area. Adjacent structures are larger than the proposed warehouse. The auto and truck accessory building to the west houses 5 garage bays, the post office to the south is one massive building and the St. Vincent de Paul Society warehouse used for storage is also larger than the proposed warehouse on the subject property. The warehouse will enhance the existing built environment with surrounding structures and the streetscape.***

GOAL 7.5 CONTEXT-SENSITIVE SITE DESIGN: Design sites, buildings and landscape elements to respond to the high desert environment

Policy 7.5.1: "Landscape design: Encourage landscape treatments that are consistent with the high desert climate to enhance our sense of place"

a) Design the landscape and site improvements to compliment the individual site, the overall appearance of the corridor and surrounding land uses

- ***The project proposes 3,128 square feet of landscaping to the 0.48 acre site. Subject to landscaping requirements of the Albuquerque City Code, the plan is to incorporate xeric design principles to the individual site. The site plan will extend landscaping to the southern end of Sierra Drive not in place with the current land use and compliment existing landscaping of surrounding land uses along the corridor.***

CHAPTER 8 – ECONOMIC DEVELOPMENT

GOAL 8.2 ENTREPRENEURSHIP: Foster a culture of creativity and entrepreneurship and encourage private business to grow.

Policy 8.2.1: "Local business: Emphasize local business development"

- ***New local employment opportunities will be provided on the subject site as the proposed zone change will transition from a soon to be vacant parcel of land to a warehouse. The proposed land use will provide employment opportunities in the immediate area, as well as within the City of Albuquerque. This will work in conjunction with revenue generation along with gross receipt taxes and the ability to support locally owned businesses.***

- D. The applicant must demonstrate that the existing zoning is inappropriate because;
- (1) There was an error when the existing zone map pattern was created, or
 - (2) Changed neighborhood or community conditions justify the change, or
 - (3) A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) do not apply.

The existing zoning is inappropriate because a different use category is more advantageous to the community as articulated in the Comprehensive Plan as further explained in Section C. The existing C-2 does not allow manufacturing, assembling, treating, repairing or rebuilding of products only allowed in the requested zone with warehousing options as a permissive use. At this particular location existing

surrounding land uses, and the proposed zone would be more advantageous. Parking lots (both public and employee), garage bays for automobile work, and a warehouse as adjacent uses reflect this. The St. Vincent de Paul Society constructed its warehouse towards the rear of their site. The auto and truck accessory business placed its employee parking and garage bays towards the rear of their property as well. The subject property's view to the north is the rear of a commercial office complex. To the south is the view of the parking lot for the post office.

A manufacturing, assembling, treating, repairing or rebuilding of products only allowed in the requested zone with warehousing options as a permissive use at this particular location is more advantageous to the community because it would support small, locally owned businesses to locate in an area already reflecting compatible uses and zoning. A 6,388 square foot building at this location would not have an invasive impact on the neighborhood, as it would be located next to an 8,000 square foot warehouse used for storage adjacent east to the subject property. The proposed zoning will allow a use that is advantageous and appropriate to the surrounding area and overall community by encouraging and supporting both redevelopment and local economic development.

As far back as 1995, reflected in the letter from the Zoning Enforcement Manager, the mobile homes have been defined as "non-conforming" which reflect and support a different land use category as being more advantageous to the community. The existing mobile home park has been at this location for several decades pre-dating many of the existing and permissive land uses including the post office adjacent to the south. As land uses changed, several residents started to relocate and spaces were left vacant. The area has been in transition for many decades with the C-3 zone starting to appear more regularly over time on properties formally zoned R-1 and C-2. Recognition of this property as one within the area that can support a different land use category as advantageous to the community is important when evaluating the context of this site and the stability of the surrounding neighborhood as a whole. The requested C-3 is compatible with the area's character due to its proximity to other C-3 zone properties and land uses that reflect the proposed zone, which are articulated in the Comprehensive Plan.

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or the community. *The rezone from C-2 to C-3 will not be harmful to any adjacent properties or the community as a whole because permissive uses of the requested zone area already exist in the general area and will not introduce a new activity nor change the character of the area. The property is a relatively small lot and will eliminate potential heavy commercial uses. In addition, the building will include 4 to 5 individual spaces aimed at lower end heavy commercial and will influence the type of businesses attracted to the spaces.*

The interest in the C-3 zone revolves around the permissive use of warehousing with associated manufacturing, assembling, treating, repairing or rebuilding of products. The overall site is approximately .48 acres, which likely eliminates higher end heavy commercial uses. Existing C-3 zoned properties on similar lot sizes in the immediate

area reflect a warehouse for liquor distribution, jewelry distributor, home design center and plumber. As previously stated, the intent is to offer these options at a smaller scale to local businesses who need storage and may possibly have some level of manufacturing, assembling, treating, repairing or rebuilding of products.

The change will support the elimination of a non-conforming use no longer appropriate at this location due to changed conditions. Over time, the mobile homes on this particular site became isolated from what was once a large mobile home park. As new uses and zones changed, the once cohesive park was divided, leaving the subject site isolated. The existing post office site connected the subject property to the greater mobile home park to the south. Its construction in the 1980's, cut off Sierra Drive, eliminated many mobile homes including a City swimming pool once a gathering place for area residents. This development permanently isolated the subject property to dependent access solely off of Menaul Boulevard.

The proposed warehouse is a permissive use in the requested zone and a redevelopment opportunity. Both the land use and the proposed zone exist in the immediate and general area supporting that a warehouse and proposed uses would not be harmful to adjacent properties, the neighborhood or the community.

- F. A proposed zone change which, to be utilized through land development, requires major and un-programmed capital expenditures by the city may be;
- (1) Denied due to lack of capital funds, or
 - (2) Granted with the implicit understanding that the city is not bound to provide the capital improvements in any special schedule.

The proposed zone change will not require any un-programmed capital expenditures to be made by the City. This is an infill/redevelopment property with adequate existing infrastructure. Extension of any services required will be the responsibility of the property owner.

- G. The cost of the land or other economic consideration pertaining to the applicant shall not be the determining factor for a change of zone.

The cost of the land or other economic considerations are not the determining factor for this zone change request. The request will allow the subject site to address the "non-conforming" history of the property with a proposed land use appropriate at this location at the sole cost of the property owner.

- H. Location on a collector or major street is not in itself sufficient justification of apartment, office or commercial zoning.

The justification for this zone change request is not based primarily on its location near a major street. Access to the site is off of Sierra Drive, a local street where it ends as a cul-de-sac. It serves as primary access to the subject site but also as secondary access for the car and truck accessory business adjacent west and to the commercial businesses adjacent north. Sierra Drive is off of Menaul Boulevard which is a Community Principal Arterial. Primary justification for the zone change request is property improvement, redevelopment and infill.

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved is general called a "spot zone." Such a change of zone may be approved only when;
- (1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development, or
 - (2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises make the site unsuitable for the uses allowed in any one adjacent zone.

The zone change request to C-3 would create a "spot zone" because it will be surrounded completely by C-2 zoned properties. The C-3 zone is justifiable at this specific location because it will clearly facilitate realization of the Comprehensive Plan through its Goals and Policies of Community Identity, Land Use, Urban Design and Economic Development as articulated in Section C.

Goals and Policies within the Comprehensive Plan support the character of an area as it relates to Community Identity. The rezone will offer opportunities for redevelopment/infill of a soon to be vacant parcel of land that has struggled to support residential land uses. The proposed use is more in character with the immediate area. Redevelopment and infill opportunities of the site continue to support Land Use Goals and Policies the rezone with appropriate commercial uses that benefit from existing infrastructure and public facilities that also include complimentary land uses of the American Square Activity Center and site access from Menaul Boulevard, a multi-modal corridor. Urban Design Goals and Policies emphasize the importance of compatibility of new infill development in addition to site design that incorporate sensitive site design including that of landscaping which reflect the subject property and its intent and effort to enhance the existing built environment. Support of local business as Economic Development Goals and Policies applied to this request reflect the opportunities for 4 to 5 local small businesses to locate on the subject site meeting expressed interest to the applicant from those needing smaller spaces in a convenient location. Specific Goals and Policies are identified and discussed in Section C that support the "spot zone" and illustrate the facilitation and realization of the Comprehensive Plan.

- J. A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where;
- (1) The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan.
 - (2) The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zone or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

The request does not meet the definition of "strip zoning" as defined in this section. The area of the proposed zone change clearly facilitates the realization of the Comprehensive Plan. If approved, the request would result in an approved commercial

zoning designation which does not significantly differ or change the character of existing and allowed uses on adjacent properties or those of the immediate area.

CONCLUSION

The requested Zone Map Amendment will allow this soon to be vacant and underutilized property to be transformed into a land use appropriate at this location, furthering the goals and policies of the Albuquerque/Bernalillo County Comprehensive Plan. Given changed community conditions over time on adjacent properties, the mobile home park struggled to survive as it became isolated.

This project represents an opportunity to redevelop a deteriorating site with a quality commercial use at an appropriate location. To our knowledge there has not been neighborhood opposition to the request.

We respectfully request that the Environmental Planning Commission approve this request for a Zone Map Amendment. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Derrick Archuleta", with a long horizontal flourish extending to the right.

Derrick Archuleta, MCRP
Principal

PRE-APPLICATION REVIEW TEAM (PRT) MEETING

PA# 16-095 Date: 5.17.2016 Time: 3:00 PM

Address: 2517 NEPPA DRIVE #5

1. AGENCY REPRESENTATIVES PRESENT AT MEETING

Planning: ☒ Kym Dicome ☒ Other: MICHAEL VOS
Transportation: ☒ Gary Sandoval ☐ Other: _____
Code Enforcement: ☒ Ben McIntosh ☐ Other: _____
Fire Marshall: ☒ Antonio Chinchilla ☐ Other: _____

2. TYPE OF APPLICATION ANTICIPATED / APPROVAL AUTHORITY

- ☐ Zone Map Amendment ☐ EPC Approval ☐ City Council Approval
☐ Sector Dev. Plan Amendment ☐ EPC Approval ☐ City Council Approval
☐ Site Dev. Plan for Subdivision ☐ EPC Approval ☐ DRB Approval ☐ Admin Approval
☐ Site Dev. Plan for Bldg. Permit ☐ EPC Approval ☐ DRB Approval ☐ Admin Approval
☐ Other _____

3. SUMMARY OF PRT DISCUSSION:

Current Zoning: C.2
Proposed Use/Zone: C.3
Applicable Plans: ZONING CODE
Applicable Design Regulations: _____
Previously approved site plans/project #s: #1002012 LOOK AT FIVE.
Requirements for application: (R-270-1980, Notification, as-built drawings, TIS, Check Lists, Other) _____

Handouts Given:

☐ Zone Map Amendment Process ☒ R-270-1980 ☐ AA Process ☐ EPC Schedule

Additional Notes:

- SITE CURRENTLY MOBILE HOMES UNDER C.2. IF
- OCCUPIED MOBILE HOMES, MUST FOLLOW MOBILE HOME
- RESIDENT NOTIFICATION ORDINANCE (14.16.3.21)
- REZONE TO C.3 WOULD BE A SPOT ZONE SINCE ENTIRE
- SURROUNDING AREA IS C.2. A SPOT ZONE MUST MEET
- A MORE RIGOROUS TEST AS OUTLINED IN R.270.1980
- WHICH IS THE "POLICIES FOR A ZONE MAP CHANGE APPLICATION"

4. SIGN & DATE TO VERIFY ATTENDANCE & RECEIPT OF THIS SUMMARY.

[Signature]
PRT CHAIR

[Signature]
APPLICANT OR AGENT

***Please Note: PRT DISCUSSIONS ARE FOR INFORMATIONAL PURPOSES ONLY: THEY ARE NON-BINDING AND DO NOT CONSTITUTE ANY KIND OF APPROVAL. Statements regarding Zoning are not Certificates of Zoning. Additional research may be necessary to determine the exact type of application and/or process needed. It is possible that factors unknown at this time and/or thought of as minor could become significant as the case progresses.

NEED TO RESEARCH AGIS FOR PROJECT #/SITE WHERE
A SIMILAR REQUEST OCCURRED.

CASE TRACKING / HISTORY
→ FILE # PROJECT

ERNIE GOMEZ. CAN PULL FILES FOR PROJECT.

C.2 ALLOWS RETAIL. BUT THEY WANT WAREHOUSE NO
NOT A CUL DE SAC. PM. 86' DIAMETER → VISIBILITY.

4B' THIS PROPERTY
IS RESPONSIBLE.

DMD MAY REQUEST PLAN TO CREATE CUL-DE-SAC. CHECK W/
THEM.

BLDG - 20' METAL BLDG TYPE 2B. REQ'D 1 FH

FM. 2 SET SITE PLAN. GET APPROVAL.
REVIEW PRELIMINARIES.

NO FURTHER
THAN 250' FROM
FARTHEST POINT
OF BLDG. CEN

TRAFFIC. ABCWUA. CHECK FOR AS BUILTS FOR THE LOCATION
EPC SCHEDULE. → WILL EMAIL APPLICATIONS, FORMS

§ 14-16-3-21 MOBILE HOME RESIDENT NOTIFICATION.

- (A) **Short title.** This section may be cited as the "Mobile Home Resident Notification Ordinance".
- (B) **Findings and public policy.** The City Council finds that one of the Albuquerque/Bernalillo County Comprehensive Plan's goals is to increase the city's supply of affordable housing, ameliorate the problems of homelessness and displacement, and ensure that residents have safe, decent and affordably priced housing in stable neighborhoods. The Council further finds that mobile home developments play a vital role in meeting the city's affordable housing needs through the furnishing of low cost, stable housing environments. Therefore, it is the city's policy to minimize the hardships and disruptions associated with displacing mobile home residents.
- (C) **Definitions.** For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

LANDLORD. The owner or any person responsible for operating and managing a mobile home development or an agent, employee or representative authorized to act on the landlord's behalf in connection with matters relating to tenancy in the development.

MOBILE HOME. A movable or portable housing structure larger than 40 feet in body length, 8 feet in width, or 11 feet in overall height, designed for and occupied by no more than one family for living and sleeping purposes; it does not include structures built to the standards of the Building Code and other technical codes adopted in § 14-1-3 ROA 1994, as of the date of the unit's construction.

MOBILE HOME DEVELOPMENT or PARK. An area developed or intended to be developed for occupancy by two or more mobile homes which are used for dwelling purposes. It includes areas known as mobile home parks, where lots or spaces are rented individually to residents; mobile home subdivisions, where lots are sold individually, usually to residents of the lots; or other forms of ownership.

MOBILE HOME DEVELOPMENT OWNER or PARK OWNER or OWNER. The person or legal entity holding title to the mobile home development.

RESIDENT. A person who resides in a mobile home in a mobile home development.

TENANCY. The right of a resident to use a space or lot within a mobile home development on which to locate, maintain or occupy a mobile home, lot improvements and accessory structures, including the use of services and facilities of the mobile home development.

(D) **Termination of mobile home park tenancy resulting from change of use.** In those cases where the owner intends to change the use of his land, and where such change of use would result in eviction of inhabited mobile homes, the landlord shall first give the resident of each mobile home subject to such eviction a written notice of his intent to evict not less than 18 months prior to such change of use of the land, notice to be mailed to each resident.

(E) **Civil enforcement.** Any mobile home development resident whose rights under this section have been violated may bring a civil action in a court of competent jurisdiction and, upon prevailing, shall recover actual damages. A plaintiff prevailing in an action to enforce this section shall be entitled to recover his or her costs and expenses of suit and reasonable attorney's fees. This provision does not preclude any other remedy that may be available at law or in equity.

(F) **New Mexico Mobile Home Park Act.** The provisions of the New Mexico Mobile Home Park Act (Chapter 47, Article 10, NMSA 1978) shall apply as applicable to mobile home developments in

Albuquerque with the exception of the length of time required for resident notification in the event of a change in land use. This section increases the length of time for required notification from six months to 18 months.

(Ord. 7-2008)

September 26, 2016

To: Ms. Olivia Perea
2517 Sierra NE Space 1A
Albuquerque, NM 87110

From: Ed Anlian
P. O. Box 37134
Albuquerque, NM 87176

RE: 18 Month Notice to Terminate Tenancy

Dear Ms. Perea,

Pursuant to City of Albuquerque Ordinance 14-16-3-21 *Mobile Home Resident Notification*, this letter is to provide you with eighteen (18) months' notice that we will be terminating your month-to-month lease and tenancy as of April 1, 2018.

Until that date, you will be responsible to make your monthly rent payment and will be held accountable if you do not and subject to court ordered eviction. As a Month-To-Month tenant, you may terminate your lease any time with 30-day's notice. You, as owner, are responsible for the removal of your mobile home and all other items from the space you lease.

We will be closing the mobile home park at that time and plan on redeveloping the property.

If you require a reference letter for future properties, please let me know and I will be happy to provide one.

If you have any questions, please feel free to call me at 505-250-9661 or email me at edanlian@aol.com.

Sincerely,



Ed Anlian

September 26, 2016

To: Mr. Stephen Smith
2517 Sierra NE Space 2A
Albuquerque, NM 87110

From: Ed Anlian
P. O. Box 37134
Albuquerque, NM 87176

RE: 18 Month Notice to Terminate Tenancy

Dear Stephen,

Pursuant to City of Albuquerque Ordinance 14-16-3-21 *Mobile Home Resident Notification*, this letter is to provide you with eighteen (18) months' notice that we will be terminating your month-to-month lease and tenancy as of April 1, 2018.

Until that date, you will be responsible to make your monthly rent payment and will be held accountable if you do not and subject to court ordered eviction. As a Month-To-Month tenant, you may terminate your lease any time with 30-day's notice. You, as owner, are responsible for the removal of your mobile home and all other items from the space you lease.

We will be closing the mobile home park at that time and plan on redeveloping the property.

If you require a reference letter for future properties, please let me know and I will be happy to provide one.

If you have any questions, please feel free to call me at 505-250-9661 or email me at edanlian@aol.com.

Sincerely,



Ed Anlian

September 26, 2016

To: Tammila and Alice Smith-Porras
2517 Sierra NE Space 3A
Albuquerque, NM 87110

From: Ed Anlian
P. O. Box 37134
Albuquerque, NM 87176

RE: 18 Month Notice to Terminate Tenancy

Dear Tammila and Alice,

Pursuant to City of Albuquerque Ordinance 14-16-3-21 *Mobile Home Resident Notification*, this letter is to provide you with eighteen (18) months' notice that we will be terminating your month-to-month lease and tenancy as of April 1, 2018.

Until that date, you will be responsible to make your monthly rent payment and will be held accountable if you do not and subject to court ordered eviction. As a Month-To-Month tenant, you may terminate your lease any time with 30-day's notice. You, as owner, are responsible for the removal of your mobile home and all other items from the space you lease.

We will be closing the mobile home park at that time and plan on redeveloping the property.

If you require a reference letter for future properties, please let me know and I will be happy to provide one.

If you have any questions, please feel free to call me at 505-250-9661 or email me at edanlian@aol.com.

Sincerely,



Ed Anlian

September 26, 2016

To: Blanca Torrez and Roberto Puentes
2517 Sierra NE Space 7A
Albuquerque, NM 87110

From: Ed Anlian
P. O. Box 37134
Albuquerque, NM 87176

RE: 18 Month Notice to Terminate Tenancy

Dear Blanco and Roberto,

Pursuant to City of Albuquerque Ordinance 14-16-3-21 *Mobile Home Resident Notification*, this letter is to provide you with eighteen (18) months' notice that we will be terminating your month-to-month lease and tenancy as of April 1, 2018.

Until that date, you will be responsible to make your monthly rent payment and will be held accountable if you do not and subject to court ordered eviction. As a Month-To-Month tenant, you may terminate your lease any time with 30-day's notice. You, as owner, are responsible for the removal of your mobile home and all other items from the space you lease.

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If you require a reference letter for future properties, please let me know and I will be happy to provide one.

If you have any questions, please feel free to call me at 505-250-9661 or email me at edanlian@aol.com.

Sincerely,



Ed Anlian

September 26, 2016

To: Kathleen Couffer
2517 Sierra NE Space 9A
Albuquerque, NM 87110

From: Ed Anlian
P. O. Box 37134
Albuquerque, NM 87176

RE: 18 Month Notice to Terminate Tenancy

Dear Kathleen,

Pursuant to City of Albuquerque Ordinance 14-16-3-21 *Mobile Home Resident Notification*, this letter is to provide you with eighteen (18) months' notice that we will be terminating your month-to-month lease and tenancy as of April 1, 2018.

Until that date, you will be responsible to make your monthly rent payment and will be held accountable if you do not and subject to court ordered eviction. As a Month-To-Month tenant, you may terminate your lease any time with 30-day's notice. You, as owner, are responsible for the removal of your mobile home and all other items from the space you lease.

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If you require a reference letter for future properties, please let me know and I will be happy to provide one.

If you have any questions, please feel free to call me at 505-250-9661 or email me at edanlian@aol.com.

Sincerely,



Ed Anlian

September 26, 2016

To: Patricia Dicks
2517 Sierra NE Space 10A
Albuquerque, NM 87110

From: Ed Anlian
P. O. Box 37134
Albuquerque, NM 87176

RE: 18 Month Notice to Terminate Tenancy

Dear Patricia,

Pursuant to City of Albuquerque Ordinance 14-16-3-21 *Mobile Home Resident Notification*, this letter is to provide you with eighteen (18) months' notice that we will be terminating your month-to-month lease and tenancy as of April 1, 2018.

Until that date, you will be responsible to make your monthly rent payment and will be held accountable if you do not and subject to court ordered eviction. As a Month-To-Month tenant, you may terminate your lease any time with 30-day's notice. You, as owner, are responsible for the removal of your mobile home and all other items from the space you lease.

We will be closing the mobile home park at that time and plan on redeveloping the property.

If you require a reference letter for future properties, please let me know and I will be happy to provide one.

If you have any questions, please feel free to call me at 505-250-9661 or email me at edanlian@aol.com.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ed Anlian', with a stylized, flowing script.

Ed Anlian

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.

Print your name and address on the reverse so that we can return the card to you.

Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Ms. Olivia Perez
2517 Sierra NE #1A
Albuquerque, NM
87110



9590 9402 1615 6053 8424 45

Article Number (Transfer from service label)

7016 0600 0000 6835 7669

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x Blanca Torres

☐ Agent☐ Addressee

B. Received by (Printed Name)

Blanca Torres

C. Date of Delivery

28-9-16

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☐ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted

Delivery

☐ Return Receipt for

Merchandise

☐ Signature Confirmation™☐ Signature Confirmation

Restricted Delivery

S Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.

Print your name and address on the reverse so that we can return the card to you.

Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Mr. Stephen Smith
2517 Sierra NE #2A
Albuquerque, NM
87110



9590 9402 1615 6053 8424 38

Article Number (Transfer from service label)

7016 0600 0000 6835 7652

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x Stephen L. Smith

☐ Agent☐ Addressee

B. Received by (Printed Name)

Stephen L. Smith

C. Date of Delivery

9/28/16

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☐ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Insured Mail☐ Insured Mail Restricted Delivery

(over \$500)

☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted

Delivery

☐ Return Receipt for

Merchandise

☐ Signature Confirmation™☐ Signature Confirmation

Restricted Delivery

S Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.

Print your name and address on the reverse so that we can return the card to you.

Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Tammila Alice Smith-Potter
2517 Sierra NE #3A
Albuquerque, NM
87110



9590 9402 1615 6053 8424 52

Article Number (Transfer from service label)

7016 0600 0000 6835 7775

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x Tammila Smith

☐ Agent☐ Addressee

B. Received by (Printed Name)

Tammila Smith

C. Date of Delivery

9-28-16

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☐ Adult Signature☐ Adult Signature Restricted Delivery☐ Certified Mail®☐ Certified Mail Restricted Delivery☐ Collect on Delivery☐ Collect on Delivery Restricted Delivery☐ Insured Mail☐ Insured Mail Restricted Delivery

(over \$500)

☐ Priority Mail Express®☐ Registered Mail™☐ Registered Mail Restricted

Delivery

☐ Return Receipt for

Merchandise

☐ Signature Confirmation™☐ Signature Confirmation

Restricted Delivery

S Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

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Print your name and address on the reverse so that we can return the card to you.

Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Blanca Torres/Roberto Puentes
517 Sierra NE #7A
Albuquerque, NM
87110



9590 9402 1615 6053 8424 69

Article Number (Transfer from service label)

7016 0600 0000 6835 7768

Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Olivia Perez*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

Olivia Perez

C. Date of Delivery

9-30-2016

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☐ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Restricted Delivery

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.

Print your name and address on the reverse so that we can return the card to you.

Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Kathleen Coulter
2517 Sierra NE #9A
Albuquerque, NM
87110



9590 9402 1615 6053 8424 76

Article Number (Transfer from service label)

7016 0600 0000 6835 7751

Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Jose T. Garcia*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

Jose T. Garcia

C. Date of Delivery

9-28-16

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☐ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Restricted Delivery

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.

Print your name and address on the reverse so that we can return the card to you.

Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Patricia Dicks
2517 Sierra NE #10A
Albuquerque, NM
87110



9590 9402 1615 6053 8424 83

Article Number (Transfer from service label)

7016 0600 0000 6835 7737

Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Patricia Dicks*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

Patricia Dicks

C. Date of Delivery

OCT - 3 2016

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☐ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Restricted Delivery

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

NEIGHBORHOOD INFORMATION

Notification Inquiry_2517 Sierra Dr NE_EPC

From : Vicente M. Quevedo <vquevedo@cabq.gov>
Subject : Notification Inquiry_2517 Sierra Dr NE_EPC
To : 'arch.plan@comcast.net' <arch.plan@comcast.net>

Mon, Sep 25, 2017 02:36 PM

3 attachments

Derrick,

Good afternoon. See list of affected associations below as requested. Please also review the instruction sheet attached to this correspondence. Thank you.

Neighborhood Associations	First Name	Last Name	Email	Address Line 1	City	State	Zip	Home Phone	Mobile Phone
District 7 Coalition	Lynne	Martin	lmartin900@aol.com	1531 Espejo NE	Albuquerque	NM	87112	5052940435	5059804107
District 7 Coalition	David	Haughawout	davidh.d7@comcast.net	2824 Chama Street NE	Albuquerque	NM	87110	5058884424	5055141965

Respectfully,

Vicente M. Quevedo, MCRP

Neighborhood Liaison, Office of Neighborhood Coordination
 City of Albuquerque – City Council
 (505) 768-3332
cabq.gov/neighborhoods

Follow us;



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From: webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** webmaster@cabq.gov
Sent: Monday, September 25, 2017 8:37 AM
To: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Notification Inquiry Sheet Submission

Notification Inquiry For:

Environmental Planning Commission Submittal

If you selected "Other" in the question above, please describe what you are seeking a Notification Inquiry for below:

Contact Name

Derrick Archuleta

Company Name

ARCH+PLAN Land Use Consultants

Address

P.O. BOX 25911

City

Albuquerque

State

NM

ZIP

87125

Telephone Number

505-980-8365

Email Address

arch.plan@comcast.net

Anticipated Date of Public Hearing (if applicable):

November 9, 2017

Describe the legal description of the subject site for this project:

Lots 17-A, 18-A, 19-A; Block 11; Timoteo Chavez Addition

Located on/between (physical address, street name or other identifying mark):

Located between Menaul Blvd and Prospect Av

This site is located on the following zone atlas page:

ARCH+PLAN
LAND USE CONSULTANTS
ALBUQUERQUE NM
P: 505.980.8365

E: ARCH.PLAN@COMCAST.NET

September 28, 2017

Ms. Lynne Martin
1531 Espejo NE
Albuquerque NM 87112

RE: Zone Map Amendment from C-2 to C-3

Dear Ms. Martin:

We are writing to you and the District 7 Coalition that ARCH+PLAN Land Use Consultants has submitted a Zone Map Amendment application on behalf of Ed Anlian and Paula Dal Santo. The parcels proposed for rezoning are located at 2517 Sierra Drive NE between Menaul Boulevard and Prospect Avenue. They include Lots 17-A, 18-A and 19-A, Block 11, Timoteo Chávez Addition on 0.48± acres.

The site is currently located with a mobile home park that has been identified by the City as a "non-conforming" use in both lot size and existing use. The property owners would like to construct a warehouse on the property, which is a permissive use with the proposed C-3 zone.

This request will be presented to the Environmental Planning Commission on Thursday, November 9, 2017 at Plaza del Sol located at 600 Second Street NW. The hearing commences at 8:30 a.m.

Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting Alternative Dispute Resolution (ADR) Program by email at striplett@cabq.gov, or by phone at (505) 768-4712 or (505) 768-4660.

A facilitated meeting request must be received by ADR by: October 9, 2017.

You may also contact me directly at (505) 980-8365 with any questions.

Sincerely,



Derrick Archuleta, MCRP

Attachments: Copy of Zone Atlas Page H-17-Z, Survey Plat, proposed site plan

ARCH+PLAN
LAND USE CONSULTANTS
ALBUQUERQUE NM
P: 505.980.8365

E: ARCH.PLAN@COMCAST.NET

September 28, 2017

Mr. David Haughwout
2824 Chama St NE
Albuquerque NM 87110

RE: Zone Map Amendment from C-2 to C-3

Dear Mr. Haughwout:

We are writing to you and the District 7 Coalition that ARCH+PLAN Land Use Consultants has submitted a Zone Map Amendment application on behalf of Ed Anlian and Paula Dal Santo. The parcels proposed for rezoning are located at 2517 Sierra Drive NE between Menaul Boulevard and Prospect Avenue. They include Lots 17-A, 18-A and 19-A, Block 11, Timoteo Chávez Addition on 0.48± acres.

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Sincerely,



Derrick Archuleta, MCRP

Attachments: Copy of Zone Atlas Page H-17-Z, Survey Plat, proposed site plan

7016 0910 0002 1796 5992

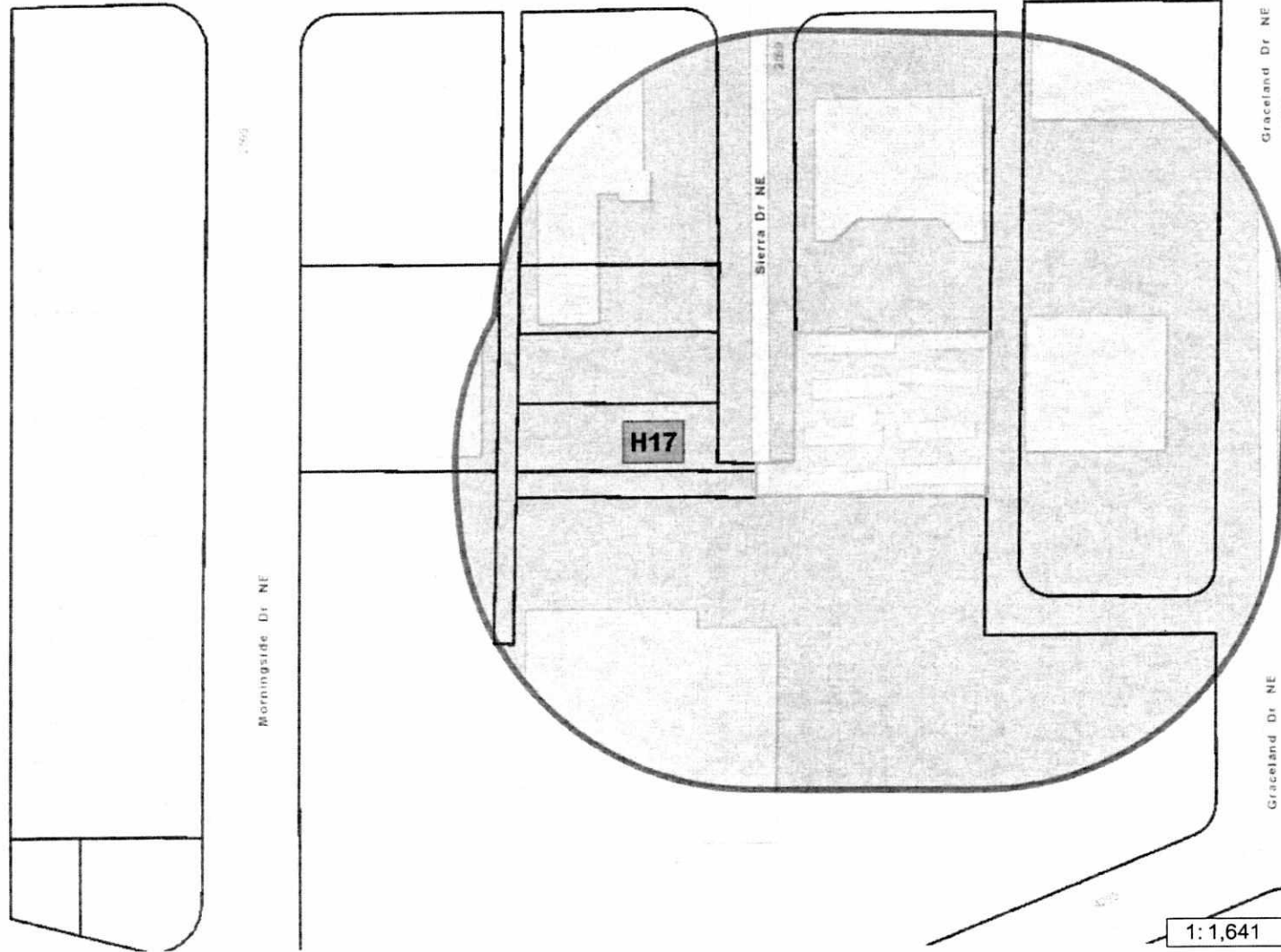
U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
ALBUQUERQUE, NM 87110	
Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.49
Total Postage and Fees	\$6.59
Sent To DAVID HAUGHAWOUT Street and Apt. No., or PO Box No. 2024 CHAMA ST NE City, State, ZIP+4® ALBUQUERQUE NM 87110	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

7016 0910 0002 1796 5985

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
ALBUQUERQUE, NM 87112	
Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.49
Total Postage and Fees	\$6.59
Sent To LYNNE MARTIN Street and Apt. No., or PO Box No. 1531 ESPEJO NE City, State, ZIP+4® ALBUQUERQUE NM 87112	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



H-17



Legend

- ☐ Bernalillo County Parcels
- ☐ Zone Grid
- Municipal Limits**
 - ☒ Corrales
 - ☒ Edgewood
 - ☒ Los Ranchos
 - ☒ Rio Rancho
 - ☒ Tijeras
 - ☒ UNINCORPORATED
- World Street Map

Notes

Buffer: 215ft
ROW: Menaul Blvd. NE 115ft.

0.1 0 0.03 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
9/28/2017 © City of Albuquerque

This map is a user generated static output from www.cabq.gov/gis and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

DAL SANTO LTD LIMITED PRTR
1208 WASHINGTON NE
ALBUQUERQUE NM 87110

RICHBOBDEN LLC
5910 COURTYARD DR 330
AUSTIN TX 78731

RICHBOBDEN LLC
5910 COURTYARD DR 300
AUSTIN TX 78731

UNITED N M BANK C/O ANCIANO ED &
DALSANTO PAULA
1200 WASHINGTON ST NE
ALBUQUERQUE NM 87110-5753

RICHBOBDEN LLC
5910 COURTYARD DR 330
AUSTIN TX 78731

RICHBOBDEN LLC
5910 COURTYARD DR 330
AUSTIN TX 78731

CHALAMIDAS THOMAS L & GEORGIA TRUSTEES
CHALAMIDAS RVT
4309 CONSTITUTION AVE NE
ALBUQUERQUE NM 87110-5719

UNITED STATES POSTAL SERVICE C/O DENVER
FACILITIES SERV OFFICE/USPS
7500 E 53RD PL 1108
DENVER CO 80266-9918

ST VINCENT DE PAUL SOCIETY ARCHDIOCESE OF
SANTA FE
4120 MANUAL BLVD NE
ALBUQUERQUE NM 87110-2912

ARCH+PLAN
LAND USE CONSULTANTS
ALBUQUERQUE NM
P: 505.980.8365

September 28, 2017

United States Postal Service
c/o Facilities Service Office/USPS
7500 E 53rd PL 1108
Denver CO 80266-9918

RE: Zone Map Amendment from C-2 to C-3

To Whom It May Concern:

We are writing to inform you that ARCH+PLAN Land Use Consultants has submitted a Zone Map Amendment application on behalf of Ed Anlian and Paula Dal Santo. The parcels proposed for rezoning are located at 2517 Sierra Drive NE between Menaul Boulevard and Prospect Avenue. They include Lots 17-A, 18-A and 19-A, Block 11, Timoteo Chávez Addition on 0.48± acres.

The site is currently located with a mobile home park that has been identified by the City as a "non-conforming" use in both lot size and existing use. The property owners would like to construct a warehouse on the property, which is a permissive use with the proposed C-3 zone.

This request will be presented to the Environmental Planning Commission on Thursday, November 9, 2017 at Plaza del Sol located at 600 Second Street NW. The hearing commences at 8:30 a.m.

You may also contact me directly at (505) 980-8365 with any questions.

Sincerely,


Derrick Archuleta, MCRP

Attachments: Copy of Zone Atlas Page H-17-Z, Survey Plat, proposed site plan

7016 0910 0002 1796 5978

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
DENVER, CO 80266	
Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.49
Total Postage and Fees	\$5.59
Sent To U.S. POSTAL SERVICE	
Street and Apt. No., or PO Box No. 7500 E 53rd PL 1108	
City, State, ZIP+4® DENVER CO 80266-9918	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Postmark: SEP 29 2017

ARCH+PLAN
LAND USE CONSULTANTS
ALBUQUERQUE NM
P: 505.980.8365

September 28, 2017

St. Vincent de Paul Society
c/o Archdiocese of Santa Fe
4120 Menaul Blvd NE
Albuquerque NM 87110-2912

RE: Zone Map Amendment from C-2 to C-3

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Derrick Archuleta, MCRP

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5009 6005 1796 0002 0910 0016

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com .	
ALBUQUERQUE, NM 87110	
Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$2.75
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.49
Total Postage and Fees	\$6.59
Sent To ST. VINCENT DE PAUL SOCIETY	
Street and Apt. No., or PO Box No. 4120 MENAUL BLVD NE	
City, State, ZIP+4® ALBUQUERQUE NM 87110-2912	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

ARCH+PLAN
LAND USE CONSULTANTS
ALBUQUERQUE NM
P: 505.980.8365

September 28, 2017

Dal Santo Limited Partnership
1208 Washington St NE
Albuquerque NM 87110

RE: Zone Map Amendment from C-2 to C-3

To Whom It May Concern:

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Sincerely,


Derrick Archuleta, MCRP

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7016 0910 0002 1796 6012

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
ALBUQUERQUE, NM 87110	
Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.49
Total Postage and Fees	\$6.59
Sent To DAL SANTO LIMITED PARTNERSHIP	
Street and Apt. No., or PO Box No. 1208 WASHINGTON ST NE	
City, State, ZIP+4® ALBUQUERQUE NM 87110	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Postmark Here
SEP 29 2017
09/29/2017

ARCH+PLAN
LAND USE CONSULTANTS
ALBUQUERQUE NM
P: 505.980.8365

September 28, 2017

RICHBOB DEN LLC
5910 Courtyard Dr 333
Austin TX 78731

RE: Zone Map Amendment from C-2 to C-3

To Whom It May Concern:

We are writing to inform you that ARCH+PLAN Land Use Consultants has submitted a Zone Map Amendment application on behalf of Ed Anlian and Paula Dal Santo. The parcels proposed for rezoning are located at 2517 Sierra Drive NE between Menaul Boulevard and Prospect Avenue. They include Lots 17-A, 18-A and 19-A, Block 11, Timoteo Chávez Addition on 0.48± acres.

The site is currently located with a mobile home park that has been identified by the City as a "non-conforming" use in both lot size and existing use. The property owners would like to construct a warehouse on the property, which is a permissive use with the proposed C-3 zone.

This request will be presented to the Environmental Planning Commission on Thursday, November 9, 2017 at Plaza del Sol located at 600 Second Street NW. The hearing commences at 8:30 a.m.

You may also contact me directly at (505) 980-8365 with any questions.

Sincerely,


Derrick Archuleta, MCRP

Attachments: Copy of Zone Atlas Page H-17-Z, Survey Plat, proposed site plan

7016 0910 0002 1796 6029

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
AUSTIN, TX 78731	
Certified Mail Fee	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	\$2.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.49
Total Postage and Fees	\$6.59
Sent To RICHBOB DEN	
Street and Apt. No., or PO Box No. 5910 COURTYARD DR 333	
City, State, ZIP+4® Austin TX 78731	
PS Form 3800, April 2015 PSN 7530-02-900-9047 See Reverse for Instructions	

Postmark Here SEP 29 2017

ARCH+PLAN
LAND USE CONSULTANTS
ALBUQUERQUE NM
P: 505.980.8365

September 28, 2017

Chalamidas RVT
c/o Thomas & Georgia Chalamidas
4309 Constitution Av NE
Albuquerque NM 87110

RE: Zone Map Amendment from C-2 to C-3

To Whom It May Concern:

We are writing to inform you that ARCH+PLAN Land Use Consultants has submitted a Zone Map Amendment application on behalf of Ed Anlian and Paula Dal Santo. The parcels proposed for rezoning are located at 2517 Sierra Drive NE between Menaul Boulevard and Prospect Avenue. They include Lots 17-A, 18-A and 19-A, Block 11, Timoteo Chávez Addition on 0.48± acres.

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You may also contact me directly at (505) 980-8365 with any questions.

Sincerely,


Derrick Archuleta, MCRP

Attachments: Copy of Zone Atlas Page H-17-Z, Survey Plat, proposed site plan

7016 0910 0002 1796 5886

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
ALBUQUERQUE NM 87110	
Certified Mail Fee	\$3.35
Postage	\$0.49
Total Postage and Fees	\$3.84
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$2.75
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Sent To CHALAMIDAS RVT	
Street and Apt. No., or PO Box No. 4309 CONSTITUTION AV NE	
City, State, ZIP+4® ALBUQUERQUE NM 87110	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Lehner, Catalina L.

From: arch.plan@comcast.net
Sent: Wednesday, October 25, 2017 7:33 AM
To: Lehner, Catalina L.
Subject: RE: MENAUL SIERRA ZONE CHANGE
Attachments: Signatures not opposing.pdf

Good morning Catalina:

Attached is neighborhood support for the above mentioned zone change.

If you need the original for the file, please let me know.

Thank you!
Derrick

Derrick Archuleta, MCRP
ARCH+PLAN Land Use Consultants
6565 Americas Parkway NE
Albuquerque NM 87110
p: 505.980.8365
e: arch.plan@comcast.net
w: www.ArchPlan.org

I/We do not oppose a Zone Change request from C-2 to C-3 proposed at 2517 Sierra Drive NE on Lots 17-A, 18-A and 19-A, Block 11, Timoteo Chavez Addition.

<u>CARLOS RODRIGUEZ</u>	<u>[Signature]</u>	<u>4120 MENAUL BLVD NE (ST. VINCENT de PAUL)</u>
Printed name	Signature	Address Richardson + Richardson Construction
<u>Brandon McCutcheon</u>	<u>[Signature]</u>	<u>4100 Menaul Blvd NE (Suite 2E)</u>
Printed name	Signature	Address Ultimate Car + Truck Accessories
<u>John Raju</u>	<u>[Signature]</u>	<u>4016 Menaul Blvd NE</u>
Printed name	Signature	Address The Bead Store
<u>Eddy Thomason</u>	<u>[Signature]</u>	<u>4100 Menaul NE</u>
Printed name	Signature	Address Buda Elegance by Darlene
<u>Darlene Archibegue</u>	<u>[Signature]</u>	<u>4100 Menaul Blvd</u>
Printed name	Signature	Address IB

I/We do not oppose a Zone Change request from C-2 to C-3 proposed at 2517 Sierra Drive NE on Lots 17-A, 18-A and 19-A, Block 11, Timoteo Chavez Addition.

<u>John DeSanto</u>	<u>John DeSanto</u>	<u>4100 Menaul NE (owner of 4100)</u>
Printed name	Signature	Address

_____	_____	_____
Printed name	Signature	Address

_____	_____	_____
Printed name	Signature	Address

_____	_____	_____
Printed name	Signature	Address

_____	_____	_____
Printed name	Signature	Address

EXHIBITS



